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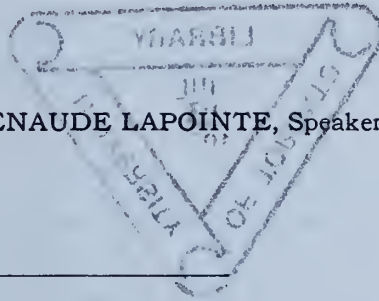


JOURNALS

OF

THE SENATE OF CANADA

The Honourable **RENAUDE LAPOINTE**, Speaker



FIRST SESSION, THIRTIETH PARLIAMENT

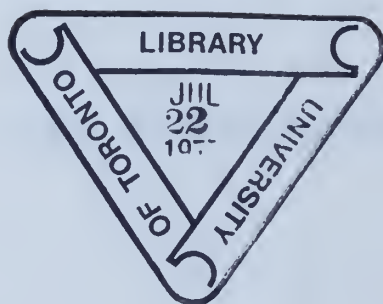
23-24-25 ELIZABETH II, 1974-75-76

VOLUME 121

Parliament opened Monday, 30th September, 1974

and

prorogued Tuesday, 12th October, 1976



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PROCLAMATIONS



CANADA

[L.S.]

BY HIS EXCELLENCY THE RIGHT HONOURABLE BORA LASKIN, Chief Justice of Canada and Administrator of the Government of Canada.

To All to Whom these Presents shall come or whom the same may in anywise concern,

Greeting:

A Proclamation

Whereas Her Majesty Queen Elizabeth the Second was graciously pleased by a Commission under the Great Seal of Canada, bearing date the fifth day of October, 1973, and in the twenty-second year of Her Majesty's Reign, to appoint Jules Léger, to be Governor General and Commander-in-Chief of Canada.

Whereas no new Commission has been granted superseding the said Commission to the said Jules Léger, appointing him to be Governor General and Commander-in-Chief of Canada, and the said Commission remains in full force and effect.

Whereas by Clause VIII of the Letters Patent bearing date the eighth day of September, 1947, constituting the office of Governor General and Commander-in-Chief of Canada, it is provided that in the event of the incapacity of the Governor General, all and every the powers and authorities therein granted to him shall, until Her Majesty's further pleasure is signified therein, be vested in the Chief Justice for the time being of Canada.

And Whereas by reason of the incapacity of the said Jules Léger, and under and in virtue of the Letters Patent all and every the powers and authorities by the said Letters Patent have become vested in me as being the Chief Justice for the time being of Canada, and having taken the necessary Oath as required by the said Letters Patent, I have therefore thought fit to issue this Proclamation to make known the same, and I do hereby require and command that all and singular Her Majesty's Officers and Ministers in Canada do continue in the execution of their several and respective offices, places and employments, and that Her Majesty's loving subjects and all others whom these Presents may concern do take notice thereof and govern themselves accordingly.

Given under my Hand and Seal at Arms at Ottawa, this second day of July in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-third year of Her Majesty's Reign.

BORA LASKIN

Administrator of the Government of Canada



CANADA

(Summoning of Parliament)

R. G. B. DICKSON
Deputy of the Administrator
[L.S.]
Canada

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

TO Our Beloved and Faithful the Senators of Canada, and the Members elected to serve in the House of Commons of Canada, and to all whom these Presents may in anyway concern,

Greeting:

D. S. THORSON
Deputy Attorney General

A Proclamation

Whereas We did, by and with the advice of Our Prime Minister of Canada, by Our Proclamation, summon and call together the House of Commons of Canada, to meet at Our City of Ottawa, on Wednesday, the thirty-first day of July, 1974, then and there to have conference and treaty with the Senate of Canada.

Know You That, Nevertheless, for certain causes and considerations, We do will that you and each of you be as to us in this matter entirely exonerated.

And Further Know You That, by and with the advice of Our Prime Minister of Canada, We do hereby command and enjoin you and each of you and all others in this behalf interested, that on Monday, the thirtieth day of September, 1974, at half-past ten o'clock in the forenoon, at Our City of Ottawa, personally you be and appear for the DESPATCH OF BUSINESS, to treat, do, act and conclude upon those things that in Our said Parliament of Canada, by the Common Council of Canada, may, by the favour of God, be ordained.

In Testimony Whereof, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.

Witness: The Honourable R. G. Brian Dickson, a Puisne Judge of the Supreme Court of Canada and Deputy of the Right Honourable Bora Laskin, Chief Justice of Canada, Administrator of the Government of Canada.

At Ottawa, this seventeenth day of July in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-third year of Our Reign.

By Command
P. M. PITFIELD
Deputy Registrar General of Canada

GOD SAVE THE QUEEN



23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 1

Monday, 30th September, 1974

The Senate met this day at ten o'clock in the forenoon, being the First Session of the Thirtieth Parliament of Canada as summoned by Proclamation.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,	Cook,	Fournier	Laing,	Michaud,
Basha,	Cottreau,	(<i>Restigouche-</i>	Laird,	Molson,
Beaubien,	Croll,	<i>Gloucester</i>),	Lamontagne,	Neiman,
Bélisle,	Davey,	Giguère,	Lang,	Norrie,
Benidickson,	Denis,	Godfrey,	Langlois,	O'Leary,
Blois,	Deschatelets,	Goldenberg,	Lapointe,	Perrault,
Bonnell,	Desruisseaux,	Graham,	Lefrançois,	Petten,
Boucher	Duggan,	Grosart,	Macdonald,	Rowe,
Bourget,	Fergusson,	Haig,	Macnaughton,	Smith,
Buckwold,	Forsey,	Hastings,	Manning,	Sparrow,
Burchill,	Fournier	Hayden	McDonald,	Stanbury,
Cameron,	(<i>de Lanaudière</i>),	Heath,	McElman,	van Roggen,
Carter,	Fournier	Hicks,	McGrand,	Welch,
Choquette,	(<i>Madawaska-</i>	Inman,	McIlraith,	Yuzyk.
Connolly	<i>Restigouche</i>),	Lafond,	McNamara,	

(Ottawa-West)

The Honourable the Speaker took the Clerk's chair.

The Honourable the Speaker rose and informed the Senate that a Commission had been issued under the Great Seal of Canada appointing her Speaker of the Senate. The said Commission was then read by the Clerk of the Senate, as follows:—

CANADA

R. G. B. DICKSON
Deputy of the Administrator
(G.S.)

OTTO E. LANG
Attorney General of Canada

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith,

TO

THE HONOURABLE
LOUISE MARGUERITE RENAUDE LAPOINTE,
a Member of the Senate,

GREETING:

KNOW YOU, that reposing special trust and confidence in your loyalty, integrity and ability, We have constituted and appointed, and We do hereby constitute and appoint you the said Louise Marguerite Renaude Lapointe,

SPEAKER OF THE SENATE.

TO HAVE, hold, exercise and enjoy the said office of Speaker of the Senate with all and every the powers, rights, authority, privileges, profits, emoluments and advantages unto the said office of right and by Law appertaining during Our Pleasure.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.

WITNESS: The Honourable R. G. Brian Dickson, a Puisne Judge of the Supreme Court of Canada and Deputy of the Right Honourable Bora Laskin, Chief Justice of Canada, Administrator of the Government of Canada.

AT OTTAWA, this twelfth day of September in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-third year of Our Reign.

BY COMMAND,

ANDRÉ OUELLET,
Registrar General of Canada

Ordered, That the Commission be placed upon the Journals.

The Honourable the Speaker took the Chair at the foot of the Throne, to which she was conducted by the Honourable Senator Perrault, P.C., and the Honourable Senator Grosart.

PRAYERS.

The Mace was then laid upon the Table.

Ordered, That the Mace be carried before the Honourable the Speaker.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE OTTAWA

30 September 1974

Madam,

I am commanded to inform you that the Honourable Ronald Martland, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Administrator of the Government of Canada, will proceed to the Senate Chamber to open the First Session of the Thirtieth Parliament of Canada on this day, Monday, the thirtieth of September 1974 at 10:30 a.m.

I have the honour to be,
Madam,
Your obedient servant,
ANDRÉ GARNEAU,
Brigadier General,

Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable the Speaker informed the Senate that the Clerk of the Senate had received Certificates from the Registrar General of Canada showing that:—

Augustus Irvine Barrow, Esquire, and
Ernest George Cottreau, Esquire,
respectively, had been summoned to the Senate.

The Honourable the Speaker informed the Senate that there were Senators without, waiting to be introduced.

The Honourable Senator Barrow was introduced between the Honourable Senator Perrault, P.C., and the Honourable Senator Hicks, and having presented Her Majesty's Writ of Summons it was read by the Clerk Assistant, as follows:—

CANADA

JULES LÉGER
(G.S.)

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

TO

Our Trusty and Well-beloved
AUGUSTUS IRVINE BARROW,
Esquire,

of the City of Halifax, in the Province of Nova Scotia,

GREETING:

KNOW YOU, that as well for the especial trust and confidence We have manifested in you, as for the purpose of obtaining your advice and assistance in all weighty and arduous affairs which may the State and Defence of Canada concern, We have thought fit to summon you to the Senate of Canada.

AND We do command you, that all difficulties and excuses whatsoever laying aside, you be and appear for the purposes aforesaid, in the Senate of Canada at all times whensoever and wheresoever Our Parliament may be in Canada convoked and holden, and this you are in no wise to omit.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.

WITNESS:

Our Right Trusty and Well-beloved Jules Léger, Chancellor and Principal Companion of Our Order of Canada, Chancellor and Commander of Our Order of Military Merit upon whom We have conferred Our Canadian Forces' Decoration, Governor General and Commander-in-Chief of Canada.

AT OUR GOVERNMENT HOUSE, in Our City of Ottawa, this eighth day of May in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-third year of Our Reign.

BY COMMAND,

HERB GRAY,
Registrar General of Canada

Ordered, That the Writ be placed upon the Journals.

The Honourable Senator Barrow came to the Table and took and subscribed the Oath prescribed by law, which was administered by the Clerk of the Senate, the Commissioner appointed for that purpose, and took his seat as a Member of the Senate.

The Honourable the Speaker informed the Senate that the Honourable Senator Barrow had made and subscribed the Declaration of Qualification required of him by *The British North America Act, 1867*, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said Declaration.

The Honourable Senator Côtteau was introduced between the Honourable Senator Perrault, P.C., and the Honourable Senator Graham, and having presented Her Majesty's Writ of Summons it was read by the Clerk Assistant, as follows:—

CANADA

JULES LÉGER
(G.S.)

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

TO

Our Trusty and Well-beloved
ERNEST GEORGE COTTREAU,
Esquire,

of Yarmouth in the Province of Nova Scotia,

GREETING:

KNOW YOU, that as well for the especial trust and confidence We have manifested in you, as for the purpose of obtaining your advice and assistance in all weighty and arduous affairs which may the State and Defence of Canada concern, We have thought fit to summon you to the Senate of Canada.

AND We do command you, that all difficulties and excuses whatsoever laying aside, you be and appear for the purposes aforesaid, in the Senate of Canada at all times whensoever and wheresoever Our Parliament may be in Canada convoked and holden, and this you are in no wise to omit.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.

WITNESS:

Our Right Trusty and Well-beloved Jules Léger, Chancellor and Principal Companion of Our Order of Canada, Chancellor and Commander of Our Order of Military Merit upon whom We have conferred

Our Canadian Forces' Decoration, Governor General and Commander-in-Chief of Canada.

AT OUR GOVERNMENT HOUSE, in Our City of Ottawa, this eighth day of May in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-third year of Our Reign.

BY COMMAND,

HERB GRAY,
Registrar General of Canada

Ordered, That the Writ be placed upon the Journals.

The Honourable Senator Cottreau came to the Table and took and subscribed the Oath prescribed by law, which was administered by the Clerk of the Senate, the Commissioner appointed for that purpose, and took his seat as a Member of the Senate.

The Honourable the Speaker informed the Senate that the Honourable Senator Cottreau had made and subscribed the Declaration of Qualification required of him by *The British North America Act, 1867*, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said Declaration.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Administrator of the Government of Canada, it was—

Resolved in the affirmative.

After awhile, the Honourable Ronald Martland, Deputy of His Excellency the Administrator of the Government of Canada, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Administrator of the Government of Canada that they attend him immediately in the Senate Chamber"

The House of Commons being come,

The Honourable the Speaker said—

Honourable Members of the Senate:

Members of the House of Commons:

I have the honour to inform you that His Excellency the Administrator of the Government of Canada has been pleased to cause Letters Patent to be issued under His Sign Manual and Signet constituting the Honourable Ronald Martland, Puisne Judge of the Supreme Court

of Canada, his Deputy, to do in His Excellency's name all acts on his part necessary to be done during His Excellency's pleasure.

The said Commission was then read by the Clerk of the Senate, as follows:—

CANADA

BORA LASKIN
Administrator
(L.S.)

BY HIS EXCELLENCY THE RIGHT HONOURABLE BORA LASKIN, Chief Justice of Canada, Administrator of the Government of Canada.

TO the Honourable RONALD MARTLAND, a Puisne Judge of the Supreme Court of Canada,

GREETING:

KNOW YOU that being well assured of your loyalty, fidelity and capacity, I, the Right Honourable Bora Laskin, Administrator of the Government of Canada, under and by virtue of and in pursuance of the power and authority vested in me by the Letters Patent of His Late Majesty King George VI constituting the office of Governor General of Canada, do hereby nominate, constitute and appoint you the said Ronald Martland to be my Deputy within Canada and in that capacity to exercise, subject to any limitations or directions from time to time expressed or given by Her Majesty, all the powers, authorities and functions vested in and of right exercisable by me as Administrator of the Government of Canada, saving and excepting the power of dissolving the Parliament of Canada.

TO HAVE, hold, exercise and enjoy the said office of Deputy of me, the Administrator of the Government of Canada as aforesaid, together with all and every the powers, authorities and functions to the said office belonging unto you, the said Ronald Martland for and during my pleasure.

PROVIDED ALWAYS that the appointment of my said Deputy shall not affect the exercise of any such power, authority or function by me, the said the Right Honourable Bora Laskin, in person.

AND PROVIDED ALWAYS, that you the said Ronald Martland shall, during your continuance in the said office, obey all such orders and instructions as you shall from time to time receive from me.

GIVEN under my hand and Seal of Office at Ottawa, this second day of July in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-third year of Her Majesty's Reign.

BY COMMAND,

P. M. PITFIELD,
Deputy Registrar General of Canada

Ordered, That the said Commission be placed upon the Journals.

The Honourable the Speaker then said—

Honourable Members of the Senate:

Members of the House of Commons:

I have it in command to let you know that His Excellency the Administrator of the Government of Canada does not see fit to declare the causes of his summoning the present Parliament of Canada, until a Speaker of the House of Commons shall have been chosen, according to law; but this afternoon, at the hour of three o'clock, His Excellency will declare the causes of his calling this Parliament.

The Commons withdrew.

The Honourable the Deputy of His Excellency the Administrator of the Government of Canada was pleased to retire.

The sitting of the Senate was resumed.

The Honourable the Speaker informed the Senate that a communication had been received from the Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

30 September 1974

Madam,

I have the honour to inform you that His Excellency the Administrator of the Government of Canada will arrive at the Main Entrance to the Parliament Buildings at 2:35 p.m. on this day Monday, the 30th of September 1974, and when it has been signified that all is in readiness, will proceed to the Chamber of the Senate to open formally the Thirtieth Parliament of Canada.

I have the honour to be,

Madam,

Your obedient servant,

ESMOND BUTLER,

Secretary to the Governor General.

The Honourable

The Speaker of the Senate,

Ottawa.

Ordered, That the communication do lie on the Table.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Godfrey, that the Senate do now adjourn until two thirty o'clock this afternoon.

The question being put on the motion, it was—

Resolved in the affirmative.

SECOND DISTINCT SITTING

2.30 p.m.

The Honourable Renaude Lapointe, Speaker.

The Members convened were:—

The Honourable Senators

Aird,	Cook,	Fournier	Laing,	Molson,
Barrow,	Côté,	(Restigouche-	Laird,	Neiman,
Basha,	Cottreau,	Gloucester),	Lamontagne,	Norrie,
Beaubien,	Croll,	Giguère,	Lang,	O'Leary,
Bélisle,	Davey,	Godfrey,	Langlois,	Paterson,
Benidickson,	Denis,	Goldenberg,	Lapointe,	Perrault,
Blois,	Deschatelets,	Graham,	Lefrançois,	Petten,
Bonnell,	Desruisseaux,	Greene,	Macdonald,	Rowe,
Boucher,	Duggan,	Grosart,	Macnaughton,	Smith,
Bourget,	Everett,	Haig,	Manning,	Sparrow,
Buckwold,	Fergusson,	Hastings,	McDonald,	Stanbury,
Burchill,	Forsey,	Hayden,	McElman,	Thompson,
Cameron,	Fournier	Heath,	McGrand,	van Roggen,
Carter,	(de Lanaudière),	Hicks,	McIlraith,	Welch,
Choquette,	Fournier	Inman,	McNamara,	Williams,
Connolly	(Madawaska-	Lafond,	Michaud,	Yuzyk.
(Ottawa West),	Restigouche),			

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of His Excellency the Administrator of the Government of Canada, it was—

Resolved in the affirmative.

After awhile, His Excellency the Administrator of the Government of Canada having come and being seated upon the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the pleasure of His Excellency the Administrator of the Government of Canada that they attend him immediately in the Senate Chamber."

The House of Commons being come,

Their Speaker, the Honourable James A. Jerome, said:—

"May it please Your Excellency,—

"The House of Commons has elected me their Speaker, though I am but little able to fulfil the important duties thus assigned to me.

"If in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Commons, whose servant I am, and who, through me, the better to enable them to discharge their duty to their Queen and Country, humbly claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to Your Excellency's person at all seasonable times, and that their proceedings may receive from Your Excellency the most favourable construction."

The Honourable the Speaker of the Senate answered:—

"Mr. Speaker,—I am commanded by His Excellency the Administrator of the Government of Canada to declare to you that he freely confides in the duty and attachment of the House of Commons to Her Majesty's Person and Government, and not doubting that their proceedings will be conducted with wisdom, temper and prudence, he grants, and upon all occasions will recognize and allow their constitutional privileges. I am commanded also to assure you that the Commons shall have ready access to His Excellency upon all seasonable occasions and that their proceedings, as well as your words and actions, will constantly receive from him the most favourable construction."

His Excellency the Administrator of the Government of Canada was then pleased to open the Session by a Gracious Speech to both Houses, as follows:—

Honourable Members of the Senate:

Members of the House of Commons:

I have the honour to welcome you to the First Session of the 30th Parliament of Canada.

I am here today in my capacity as Administrator of the Government of Canada, duties which I assumed following the illness suffered by the Governor General last June. Canadians were saddened to hear of His Excellency's stroke, but have been encouraged by reports of his steady progress. I am happy to say that his recovery is such that providing all continues to go well he will be able to resume his role before too long. I am sure I reflect the feelings of all Canadians in expressing gratitude that he will be able to give further service to his country in the high office which he holds.

This year marks an event of particular interest and importance to all Canadians—the celebration of the twenty-fifth anniversary of the entry of Newfoundland into Confederation. We anticipate with great pleasure the visit of His Royal Highness, the Duke of Edinburgh, who will shortly join us to share in this happy occasion. In November the citizens of Ontario will welcome Her Royal Highness Princess Anne and her husband who will attend the opening of the Royal Agricultural Winter Fair and other civic engagements.

The international economic situation is serious, with a high rate of inflation, balance of payments problems, lower growth rates and the rapid accumulation of large currency reserves by a few countries. Canada is engaging in bilateral and multilateral discussions as part of a concerted effort to ensure that the current fragile state of the world's economy is strengthened. Those developing countries lacking the natural resources which have enabled others to benefit from high commodity prices have been particularly hard hit by this situation. Canada is contributing to international measures to reduce the unjust and potentially dangerous gap between the rich and the poor. This will involve us not only in increasing the flow of financial assistance to developing countries but in re-examining other policies which affect our economic relations with the Third World.

Canada has contributed to many international peacekeeping operations. A source of special concern at present is the instability in Cyprus and in the Middle East where 2,000 members of Canada's Armed Forces are performing dedicated service with the two peacekeeping forces which the United Nations has established there. While these forces have had some success in keeping the belligerents apart, the necessary political solutions appear distant and, unhappily, civilian casualties, as well as casualties among members of the peacekeeping forces, continue.

In the context of the United Nations, Canada will also take:

- initiatives to provide for adequate safeguards so that spreading nuclear technology and materials are not perverted for military purposes;
- initiatives to increase world food aid so that the disastrous shortages some countries are experiencing may be alleviated.

For Canada as well as for most of the world the most serious problem is inflation; it is necessary both to deal with its causes and to mitigate its effects. This world-wide problem had its origins in the largest increases in food, energy and other commodity prices in a generation, occurring at the same time as an upsurge in economic activity in all major industrialized nations. The policy of the Government on inflation has been to pursue appropriate fiscal and monetary policies, and:

- to increase the supply of goods and services;
- to protect those least able to protect themselves; as well as
- to soften the impact of soaring oil prices on Canadian consumers and to cushion the economy against disruptive increases in other commodities.

It was generally expected, inside Canada and outside, that the tide of inflation would recede as conditions in the international food and commodity markets returned to normal, but a new situation has been created. The major oil exporting countries have re-affirmed their determination to keep the prices of their oil to importing countries, including Canada, at a high level. New adversities have fallen upon crops in Canada, the United States and elsewhere with possible adverse effects for food prices. Industrial commodities have not generally fallen in price as much as some expected in a world of static or falling industrial production. International interest rates have been pushed up to record levels and financial markets have been seriously disturbed.

Industrial unrest has become more prevalent in the world as a result of inflation. Agreements reached through collective bargaining are being abrogated as workers feel they have inadequate compensation to deal with inflation. In some countries there is a threat to the cohesion of the very fabric of society.

As various groups in society try to protect themselves against rising prices by seeking higher incomes, a stronger element of cost derived inflation is created. It is clear that some groups are much better equipped to protect themselves than others. Corporations, trade and professional associations, labour unions and governments are in most cases all able to adjust to inflation, but there are many Canadians on fixed incomes and others lacking economic power whose incomes are not rising as rapidly as the rate of inflation and for whom the consequences of inflation are a cause for concern.

Canada has thus far suffered less from inflation than most other countries, but the problem is serious and urgent. For its part, the Government will exercise restraint in its own expenditures with particular emphasis on improving effectiveness and efficiency in its existing operations while controlling expansion of new activities which, although desirable, would contribute to inflationary pressures. The Federal Government will urge that provincial and municipal governments take similar steps.

The total expenditures of the Federal Government in the 1975-76 fiscal year are expected to incorporate the costs of certain major new measures, including payments to equalize prices of petroleum products in Canada. Insofar as further new initiatives are concerned, the Government will be conscious of the need for restraint and careful phasing in relation to the state of the economy. Federal expenditures on goods and services, as opposed to various transfer payments, have remained relatively constant as a proportion of Gross National Product for some years, and their proportion was lower in 1973 than it was in 1961.

The Government does not intend deliberately to generate slack in the economy in order to combat inflation. Higher production, not lower, is essential to slowing down price advances. The Government does intend to ask all Canadians to join with it in a co-operative effort to achieve by non-inflationary means an equitable sharing among all groups in the community of the fruits of our productive efforts.

In order to increase the supply of goods and services, which is the first objective of the Government in dealing with inflation, a number of measures will be proposed:

- To increase food production—
 - incentives to farmers and fishermen including the stabilization of incomes and markets,
 - continued international action to ensure that Canada has the right to manage its coastal resources and environment, including the conservation of fish stocks;
- To increase construction of homes—
 - financial assistance in order to reduce the cost of serviced land and to encourage land assembly;
- To increase economic productivity—
 - greater financial and other support for small business,
 - continued reorientation of manpower activities so that Canadians are trained and available in the right locations to fill the increased number of job opportunities,
 - amendments to the Unemployment Insurance Act,
 - extension of the Regional Development Incentives Act;

- To increase the supply of energy—
 - the establishment of Petro-Canada, the national petroleum corporation,
 - guarantees for domestic control of uranium and for adequate future supplies related to Canadian needs,
 - steps to ensure that the price of Canadian oil and gas is regulated in a manner which will encourage necessary exploration and development in Canada;
- To ensure continued export of Canadian grain—
 - legislation to ensure the resumed movement of Western grain, if the current dispute has not already been resolved,
 - steps to facilitate grain handling this winter.

In order to help protect those particularly hard hit by inflation, which is another objective in the battle against inflation, the following measures will be taken or proposed:

- To monitor food prices—
 - renew the mandate of the Food Prices Review Board until the end of 1975 so that it may continue to report regularly on trends in food prices and analyze the reasons for price changes in specific areas;
- To help home buyers—
 - additional assistance to buyers of moderately priced housing who have not owned a home before,
 - ask financial institutions to continue to direct all low down payment high ratio mortgages exclusively to moderately priced housing,
 - a Registered Home Owners Savings Plan,
 - a system of warranties which will protect new buyers of National Housing Act financed homes,
 - better disclosure provisions for the true interest rates of mortgages;
- To protect the consumer—
 - first stage amendment of the Combines Investigation Act, including measures dealing with unfair or uncompetitive business practices such as misleading advertising and pyramid, referral or bait-and-switch selling,
 - a comprehensive overhaul of consumer credit legislation, including disclosure by all lending institutions of effective rates of interest on all loans,
 - a total revision of our bankruptcy law, including special procedures to help the consumer debtor,
 - improved safety of consumer electrical products,
 - establishment of more consumer storefront offices;
- To assist those having difficulty finding employment, and in cooperation with the provinces—
 - a community employment strategy for people who experience chronic and particular difficulty in finding and keeping regular employment,

- special efforts on behalf of individuals and specific groups who are ready and willing to work but tend to experience particular difficulty in finding regular employment;
- To help older citizens, the needy and war veterans—
- provide for regular increases in the Year's Maximum Pensionable Earnings in 1976 and subsequent years, revise the Year's Basic Exemption, and eliminate the earnings test on retirement pensions for people aged 65 to 70,
- provide for the payment of allowances to the spouses aged 60 to 65 of Old Age Security recipients effective October 1975 and eliminate certain hardships involving Canadians absent from Canada for limited periods of time,
- achieve equity as between provinces in the application of the Canada Assistance Plan in respect of the treatment of youthful offenders in other than welfare institutions, and in respect of the care given needy persons in nursing-homes in provinces that have introduced universal nursing-home care programs, and
- further increases in war veterans allowances.

The third objective of the Government's policy to combat inflation is to take such specific initiatives in the economy as are required in order to deal with unjustified increases in incomes, prices and profits.

The Government will introduce legislation to deal with unjustified price increases where such increases are identified. This legislation will be designed to ensure that unacceptable profit levels are not being realized.

You will be asked to approve the imposition of an export charge on crude oil and certain other petroleum products to provide compensation for Canadians who consume imported oil and to regulate the price of Canadian hydrocarbons in interprovincial trade, so that all Canadians pay the same basic price, plus appropriate transportation charges, no matter where they may live.

There must be a greater awareness of the need for restraint by everyone in what each seeks to secure in incomes, profits, prices or taxes if inflation is to be mitigated. Demands to secure more than the economy can provide, or indeed for those who already have a respectable return to seek to benefit relatively from inflation, must be resisted, and the Government believes it has a clear responsibility in this area. Just as no one group in society should benefit at the expense of others from inflation, so should no one group shoulder an unfair burden.

The Government has therefore initiated a series of consultations with the principal groups in our society—business, professions, farmers, labour and provincial governments. They will be asked what proposals they can suggest and what contribution they are willing to make to defeat inflation. They will be asked how productivity can

be increased. They will be asked if improvements can be made to the basically adversarial nature of the collective bargaining system, leading toward a joint search for solutions to mutual problems. Representatives of the private pension industry will be asked to explore jointly with Government ways of protecting pensioners against inflation. The Government will ensure that these consultations deal with the problems of those lacking organized power in the economy and retired people, for in many cases they are the ones most adversely affected by inflation.

The Federal Government believes that it has the responsibility of playing the leading role in bringing Canadians together to discuss their common problems and challenges and to develop proposals for their solution. The Government intends to fulfill this leadership role with vigour and determination. These meetings will form part of a major effort by the Federal Government to enter into a dialogue with all segments of the Canadian community.

In the inter-related society and economy of today, a clear distribution of responsibilities among the different levels of government in a federal state cannot in practical application have the neat precision that it has in political theory. Few actions can be taken by one level of government without affecting, or taking into account, the policies and programs of another. In many areas of government activity, effective implementation of a government's policy depends upon the cooperation of other levels of government. Consequently the Government will:

- propose a number of conferences with the provinces during the coming year, including one at the First Ministers level early in 1975; and
- take new measures within the federal administrative structure to improve the coordination of federal policies and programs that are of interest to the provinces and to make consultation with them even more effective.

A key factor in increasing supply is transportation. More generally, transportation is vital to Canada providing for the flow of people and goods that link and bind our regions. It is at the heart of our ability to function as a domestic economy, and as a trading nation. Transportation must be an instrument of national purpose, designed to achieve broad social and economic objectives. While the scale of Canada is one of its greatest assets, equally, it poses challenges of distance and communication virtually unique in the world. These problems are particularly real for the provinces and regions away from central industrial Canada. The Government does not believe the principles underlying the present transportation system or its methods of management and operation are adequate to meet current and future national aspirations.

The Government believes transportation rates should continue to be based on the principle of competition among alternative modes of transportation in areas where

there is effective competition. Where such competition does not meaningfully exist, transportation rates cannot be allowed to exact what the market will bear. Consideration of costs, as reflected in the provision of comparable services in circumstances where competition is effective, is a more acceptable guide, and it is toward the achievement of equitable arrangements on such a basis that the Government will work. Even as so qualified, the principle of effective competition may have to be subject to exceptions to permit the achievement of national policies relating to the reduction of regional economic disparities and the encouragement of a more balanced distribution of industry.

The Government is conducting a comprehensive examination of the ability of existing ground, air and marine transportation systems to meet present and growing future demands for passenger and goods services. Also under review are the roles of the various bodies which manage, operate and regulate the transportation system. The aim is to determine the role of government in both the public and private sectors of transportation, the most rational use of available capital resources, and the most appropriate means of balancing existing regulation and direct government intervention. While the cooperation of all parties will be sought, these problems are of a scale that they require Federal Government coordination. This work will lead to the implementation over the next several years, at a rate matched to the Government's overall financial ability, of a program of changes designed to produce a modern, safe, efficient and coordinated transportation system.

There are a number of new initiatives that the Government is prepared to undertake immediately designed to improve transportation services in Canada which will not in any way prejudice the review of basic policy to come:

- a program in cooperation with the railways which will lead to the eventual creation of new Government machinery to ensure the effective management of all ground transport;
- immediate implementation of experimental programs designed to upgrade progressively a number of inter-city passenger train services;
- ensuring an adequate supply of rail cars for the future and to resolve rail access problems to all major ports and distribution centres;
- improved transportation to and from remote areas, including further assistance to airports in small municipalities, and a new program to fund airports located in developing areas of the country;
- legislation to provide for the most efficient port system for Canada compatible with local, regional and national interests;
- steps leading to the creation of Canadian-owned ice-breaking cargo vessels for use in the North;
- establishment of an Independent Accident Investigation Board;

- new laws concerning shipping and the coasting trade in Canada;
- ensuring rail costing data will be made available to provincial governments pending consideration of a more comprehensive transportation information act;
- additional steps to strengthen the effectiveness of urban transportation systems and improvement of commuter services compatible with regional and provincial plans for urban development.

The Government believes further steps must be taken to enhance Canada's independence and sense of identity. To this end measures will be proposed to:

- revise the law governing corporations including the introduction of a provision whereby a majority of directors of federally incorporated companies must be Canadian;
- provide for Government intervention in cases where a Canadian company may be prevented from fulfilling export orders by its foreign ownership;
- enhance Canadian processing of the country's natural resources which are exported, involving consultations with the provinces and negotiations with other countries;
- ensure Canadian technological innovation is encouraged and available for the benefit of Canadian industry;
- ensure ownership of fishing vessel licenses is retained by Canadians;
- produce a new Citizenship Act;
- confirm O Canada! as our national anthem;
- restructure federally supported granting councils which provide money for university research in the humanities and social sciences as well as the natural sciences;
- establish an integrated regulatory body for telecommunications;
- establish a Joint Committee of the House and Senate to consider questions relating to the future of the National Capital Region;
- preserve the national heritage by providing incentives for the purchase by Canadian institutions of works of art which might otherwise be exported; and
- bring assistance to Canadian cultural enterprises by extending the provisions of the Foreign Investment Review Act; by promoting the sale of Canadian books and magazines; and by opening discussions with provincial governments about ways to increase the exposure of Canadian films in commercial theatres in Canada.

The health of Canadians will be a priority for the Government, with emphasis being placed on the preven-

tion of illness, which includes raising the level of physical fitness of Canadians. A series of major athletic events including the Canada Winter Games in 1975, the Olympic Games in 1976, the Canada Summer Games in 1977 and the Commonwealth Games in 1978, should stimulate all Canadians, and particularly youth, to higher levels of participation and achievement in this area.

The federal-provincial Social Security Review is continuing on an urgent basis. Studies on alternative approaches to the reform of the income security system are expected to be sufficiently advanced to enable federal and provincial ministers to agree upon a preferred approach at an early date. Similarly it is anticipated that proposals for the reform of social services will have been agreed upon shortly.

Stemming the despoilation of our planet and returning our water, air, and land to a more natural state are urgent and challenging goals. Legislative measures toward these goals will include:

- greater protection from contaminating substances in the interests of human health and ecological stability; and
- curtailment of ocean dumping through international agreement.

The Government is also determined to continue its program of extending equality before the law to all Canadians. To this end wide-ranging legislation will be introduced to guarantee the equal status of women in areas within the Federal Government's jurisdiction. In this respect the Government is planning a substantial program of activities to mark International Women's Year in 1975.

Other measures related to equality before the law include:

- human rights legislation;
- substantial amendments to the Criminal Code;
- legislation to provide for royalty rates for oil and gas on Indian reserves comparable to those charged by oil-producing provinces;
- amendments so that the Supreme Court can deal more expeditiously with cases which come before it and to remove the right of appeal based solely on financial considerations.

There has been a rapid expansion in the numbers of people seeking to come to Canada as immigrants, as students, and as temporary workers. A Green Paper will be published shortly which will form the basis for public and federal-provincial discussion.

The volume of public business before Parliament increases with each passing year and this Session will not be an exception. The view is widely shared within and without Parliament that the rules and procedures of the House of Commons should be adapted to enable Mem-

bers on all sides—supporting and opposing the Government—to discharge their growing responsibilities more effectively. The Government will seek, as a matter of urgency, support on a non-partisan basis for the necessary reforms of Parliamentary rules and for measures to be laid before you dealing with:

- redistribution of seats in the House of Commons;
- broadcasting the proceedings of the House; and
- possible conflicts of interest of Members of the House of Commons and the Senate.

Amendments will be proposed to the Public Service Staff Relations Act.

You will be asked to consider other legislative proposals.

Members of the House of Commons,

The Government intends to present a budget early in this Session.

You will be asked to appropriate the funds required to carry on the services and expenditures authorized by Parliament.

Honourable Members of the Senate,

Members of the House of Commons,

May Divine Providence guide you in your deliberations.

The Commons withdrew.

His Excellency the Administrator of the Government of Canada was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Langlois presented to the Senate a Bill S-1, intituled: "An Act relating to Railways".

The Bill was read the first time.

The Honourable the Speaker informed the Senate that a copy of the Speech of His Excellency the Administrator of the Government of Canada had been left in her hands.

The Speech was read by the Honourable the Speaker.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That the Speech of His Excellency the Administrator of the Government of Canada, delivered this day to the two Houses of Parliament be taken into consideration tomorrow, Tuesday, 1st October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Grosart:

That all the Senators present during this Session be appointed a Committee to consider the Orders and Customs of the Senate and Privileges of Parliament, and that the said Committee have leave to meet in the Senate Chamber when and as often as they please.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Grosart:

That pursuant to Rule 66, the following Senators, to wit: The Honourable Senators Bourget, Choquette, Denis, Flynn, Grosart, Inman, Langlois, Macdonald, Perrault, Petten and Quart, be appointed a Committee of Selection to nominate Senators to serve on the several Standing Committees during the present Session; and to report with all convenient speed the names of the Senators so nominated.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois laid on the Table the following:—

Report on operations under the *Regional Development Incentives Act* for the months of March 1974 to June 1974, inclusive, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Copies of Statement on operations under the *Veterans Insurance Act* for the fiscal year ended March 31, 1974, pursuant to section 18(2) of the said Act, Chapter V-3, R.S.C., 1970.

Copies of Statement on operations under the *Returned Soldiers' Insurance Act* for the fiscal year ended March 31, 1974, pursuant to section 17(2), Chapter 59, Statutes of Canada, 1951.

Report of the number and amount of Loans to Immigrants made under section 65(1) of the *Immigration Act* for the fiscal year ended March 31, 1974, pursuant to section 65(6) of the said Act, Chapter I-2, R.S.C., 1970.

Report of Air Canada for the year ended December 31, 1973, pursuant to section 27 of the *Air Canada Act*, Chapter A-11, R.S.C., 1970.

Auditors' report to Parliament on the accounts of the Canadian National Railway System for the year ended December 31, 1972, pursuant to section 40 of the *Canadian National Railways Act*, Chapter C-10, R.S.C., 1970.

Auditors' report to Parliament on the accounts of the Canadian National Railway System for the year ended December 31, 1973, pursuant to section 40 of the *Canadian National Railways Act*, Chapter C-10, R.S.C., 1970.

Report of the Canadian National Railways for the year ended December 31, 1973, pursuant to section 40 of the *Canadian National Railways Act*, Chapter C-10, R.S.C., 1970.

Report of the Canadian National Railways Securities Trust for the year ended December 31, 1973, pursuant to section 17 of the *Canadian National Railways Capital Revision Act*, Chapter 311, R.S.C., 1952.

Capital Budget of Central Mortgage and Housing Corporation for the year ending December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, as approved by Order in Council P.C. 1974-1282, dated May 30, 1974.

Report of The St. Lawrence Seaway Authority, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of The Seaway International Bridge Corporation, Ltd., including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the National Harbours Board, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to section 32 of the *National Harbours Board Act*, Chapter N-8, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Northern Transportation Company Limited, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Statement of expenditures and financial commitments made under the *Veterans' Land Act* for the fiscal year ended March 31, 1974, pursuant to section 49 of the said Act, Chapter V-4, R.S.C., 1970.

Report on the administration of Part I of the *Royal Canadian Mounted Police Superannuation Act* for the fiscal year ended March 31, 1974, pursuant to section 26 of the said Act, Chapter R-11, R.S.C., 1970.

Report of the Army Benevolent Fund Board, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 13 of the *Army Benevolent Fund Act*, Chapter A-16, R.S.C., 1970.

Copy of Proceedings of the Royal Society of Canada, 1973, together with a copy of the 1973-1974 Calendar and a copy of the Report of Council containing the financial statements of the Society for the year ended February 28, 1974, and the Auditors' report thereon, pursuant to section 9 of *An Act to incorporate the Royal Society of Canada*, Chapter 46, Statutes of Canada, 1883.

Revised Capital Budgets of the National Battlefields Commission for the fiscal years ending March 31, 1973 and March 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-1285, dated May 30, 1974, approving same.

Capital Budget of the National Battlefields Commission for the fiscal year ending March 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-1286, dated May 30, 1974, approving same.

Report of Canadian Patents and Development Limited for the fiscal year ended March 31, 1974, including its accounts and financial statements certified by the Auditor General, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Superintendent of Insurance on the administration of the *Pension Benefits Standards Act* for the fiscal year ended March 31, 1974, pursuant to section 22 of the said Act, Chapter P-8, R.S.C., 1970.

Report of operations under the *Civil Service Insurance Act* for the fiscal year ended March 31, 1974, pursuant to section 21(2) of the said Act, Chapter 49, R.S.C., 1952.

Report of the number and amount of loans to Indians made under section 70(1) of the *Indian Act* for the fiscal year ended March 31, 1974, pursuant to section 70(6) of the said Act, Chapter I-6, R.S.C., 1970.

Report of the Farm Credit Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Auditor General on the examination of the accounts and financial statements of the National Battlefields Commission for the fiscal year ended March 31, 1974, pursuant to section 12 of *An Act respecting the National Battlefields at Quebec*, Chapter 57, Statutes of Canada, 1907-08, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of Atomic Energy of Canada Limited, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Reports of the Atlantic Pilotage Authority, the Laurentian Pilotage Authority, the Great Lakes Pilotage Authority, Ltd. and the Pacific Pilotage Authority, including accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to section 28 of the *Pilotage Act*, Chapter 52, Statutes of Canada, 1970-71-72.

Report of the Administrator of the Maritime Pollution Claims Fund for the fiscal year ended March 31, 1974, pursuant to section 747 of the *Canada Shipping Act*, Chapter S-9, as amended by Chapter 27 (2nd Supplement), R.S.C., 1970.

Report of the Atomic Energy Control Board of Canada for the fiscal year ended March 31, 1974, pursuant to section 20(1) of the *Atomic Energy Control Act*, Chapter A-19, R.S.C., 1970.

Report of expenditures and administration in connection with the *Youth Allowances Act* for the fiscal year ended March 31, 1974, pursuant to section 13 of the said Act, Chapter Y-1, R.S.C., 1970.

Report of expenditures and administration in connection with the *Old Age Security Act* for the fiscal year ended March 31, 1974, pursuant to section 26 of the said Act, Chapter O-6, R.S.C., 1970.

Report of expenditures and administration in connection with the *Family Allowances Act* for the fiscal year ended March 31, 1974, pursuant to section 14 of the said Act, Chapter F-1, R.S.C., 1970.

Report on the administration of Allowances for Disabled Persons in Canada for the fiscal year ended March 31, 1973, pursuant to section 12 of the *Disabled Persons Act*, Chapter D-6, R.S.C., 1970.

Report of expenditures and administration in connection with the *Unemployment Assistance Act* for the fiscal year ended March 31, 1973, pursuant to section 8 of the said Act, Chapter U-1, R.S.C., 1970.

Report on the administration of Allowances for Blind Persons in Canada for the fiscal year ended March 31, 1973, pursuant to section 12 of the *Blind Persons Act*, Chapter B-7, R.S.C., 1970.

Report on the administration of Old Age Assistance in Canada for the fiscal year ended March 31, 1973, pursuant to section 12 of the *Old Age Assistance Act*, Chapter O-5, R.S.C., 1970.

Statement of all monies refunded under the authority of *The Refunds (Natural Resources) Act* for the period

February 27 to September 29, 1974, pursuant to section 3 of the said Act, Chapter 35, Statutes of Canada, 1932. *Nil Return.*

Statement of apportionment and adjustments of Seed Grain, Fodder for Animals and other Relief Indebtedness for the period February 27 to September 29, 1974, pursuant to section 2 of *An Act respecting Certain Debts due the Crown*, Chapter 51, Statutes of Canada, 1926-27. *Nil Return.*

Copies of Ordinances passed by the Council of the Yukon Territory at its 1973 Third Session, pursuant to section 20(1) of the *Yukon Act*, Chapter Y-2, R.S.C., 1970, together with copy of Order in Council P.C. 1973-3018, dated October 4, 1973.

Auditor General's report to the Solicitor General on the examination of the accounts and financial statement of the Royal Canadian Mounted Police (Dependants) Pension Fund for the fiscal year ended March 31, 1974, pursuant to section 55(4) of the *Royal Canadian Mounted Police Pension Continuation Act*, Chapter R-10, R.S.C., 1970.

Report of the Northern Canada Power Commission, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 24 of the *Northern Canada Power Commission Act*, Chapter N-21, and section 75(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of Orders in Council P.C. 1974-1521 and 1974-1522, dated July 4, 1974, amending, respectively, Parts I and II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Report relating to the administration of the *Farmers' Creditors Arrangement Act* for the fiscal year ended March 31, 1974, pursuant to section 41(2) of the said Act, Chapter F-5, R.S.C., 1970.

Copies of Orders in Council P.C. 1974-1332 and 1974-1328, dated June 6, 1974, amending, respectively, Parts I and II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Copies of Orders in Council P.C. 1974-1192 and 1974-1193, dated May 30, 1974, amending, respectively, Parts I and II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Copies of Orders in Council P.C. 1974-1100 and 1974-1101, dated May 14, 1974, amending, respectively, Parts I and II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Report of the Cape Breton Development Corporation, including its financial statements and Auditors' Report, for the three months ending March 31, 1974, pursuant to section 33 of the *Cape Breton Development Corporation Act*, Chapter C-13, R.S.C., 1970.

Report on the operation of Agreements with the Provinces under the *Hospital Insurance and Diagnostic Services Act* for the fiscal year ended March 31, 1973, pursuant to section 9 of the said Act, Chapter H-8, R.S.C., 1970.

Capital Budget of the Royal Canadian Mint for the year ending December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-1097, dated May 10, 1974, approving same.

Report of the Master of the Royal Canadian Mint, including accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of Polymer Corporation Limited, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of Crown Assets Disposal Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 14 of the *Surplus Crown Assets Act*, Chapter S-20, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of Canadian Arsenals Limited, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of Canadian Commercial Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 13(1) of the *Canadian Commercial Corporation Act*, Chapter C-6, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report on Vocational Rehabilitation for the fiscal year ended March 31, 1974, pursuant to section 8 of the *Vocational Rehabilitation of Disabled Persons Act*, Chapter V-7, R.S.C., 1970.

Copies of Order in Council P.C. 1974-1544, dated July 16, 1974, amending Part I of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Report respecting operations under the *Health Resources Fund Act* for the fiscal year ended March 31, 1974, pursuant to section 13 of the said Act, Chapter H-4, R.S.C., 1970.

Report on proceedings under the *Canada Labour Code*, Part III (Labour Standards), for the fiscal year ended March 31, 1974, pursuant to section 75 of the said Code, Chapter L-1, R.S.C., 1970.

Statement showing Classification of Deposit Liabilities Payable in Canadian Currency of the Chartered Banks of Canada as at April 30, 1974, pursuant to section 119(1) of the *Bank Act*, Chapter B-1, R.S.C., 1970.

Report of operations under the *Crop Insurance Act* for the fiscal year ended March 31, 1973, pursuant to section 13 of the said Act, Chapter C-36, R.S.C., 1970.

Report of the Agricultural Stabilization Board for the fiscal year ended March 31, 1974, pursuant to section 14 of the *Agricultural Stabilization Act*, Chapter A-9, R.S.C., 1970.

Report of the Agricultural Products Board for the fiscal year ended March 31, 1974, pursuant to section 7 of the *Agricultural Products Board Act*, Chapter A-5, R.S.C., 1970.

Capital Budget of The St. Lawrence Seaway Authority for the year ending December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-1037, dated May 2, 1974, approving same.

- Capital Budget of the National Harbours Board for the year ending December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-964, dated April 25, 1974, approving same.

Capital Budget of the Northern Transportation Company Limited for the year ending December 31, 1974,

pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-1169, dated May 17, 1974, approving same.

Report of the Minister of Transport on the administration of the *Motor Vehicle Safety Act* for the fiscal year ended March 31, 1973, pursuant to section 20 of the said Act, Chapter 26 (1st Supplement), R.S.C., 1970.

Report of the Department of Transport containing a Statement of Wharf Revenue Receipts and a Statement of Harbour Dues for the fiscal year ended March 31, 1974, pursuant to section 14 of the *Government Harbours and Piers Act*, Chapter G-9, R.S.C., 1970.

Capital and Operating Budgets of the Canadian National Railways for the year ending December 31, 1974, pursuant to section 37(2) of the *Canadian National Railways Act*, Chapter C-10, and section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with a copy of Order in Council P.C. 1974-2107, dated September 19, 1974, approving same.

Report of the Department of Transport containing a Statement of Leases granted under authority of the *Government Harbours and Piers Act*, for the fiscal year ended March 31, 1974, pursuant to section 18 of the said Act, Chapter G-9, R.S.C., 1970.

Report of the Standing Senate Committee on Legal and Constitutional Affairs, appointed in the last session of Parliament and authorized in that session to examine and report upon all aspects of the parole system in Canada.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.





23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 2

Tuesday, 1st October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Everett,
Fergusson,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Hayden,
Heath,
Hicks,
Inman,
Lafond,
Laing,

Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
Martin,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,

Neiman,
Norrie,
O'Leary
Perrault,
Petten,
Rowe,
Smith,
Sparrow,
Thompson,
van Roggen,
Walker,
Welch,
Williams,
Yuzyk.

PRAYERS.

Tribute was paid to the memory of the Honourable Senator Bourque whose death occurred August 14, 1974.

The Honourable the Speaker laid on the Table the Report of the Parliamentary Librarian for the fiscal year 1973-74.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Auditor General's Report to the Minister of Manpower and Immigration on the examination of the accounts and financial statements of the Unemployment Insurance Commission for the fiscal year ended March 31, 1974, pursuant to section 138 of the *Unemployment Insurance Act*, 1971, Chapter 48, Statutes of Canada, 1970-71-72.

Report of the Public Service Commission of Canada for the year ended December 31, 1973, pursuant to section 45 of the *Public Service Employment Act*, Chapter P-32, R.S.C., 1970.

Report of the Public Service Commission on Positions or Persons excluded from the operation of the *Public Service Employment Act* for the year ended December 31, 1973, pursuant to section 45 of the said Act, Chapter P-32, R.S.C., 1970.

Report of the Public Service Commission on Delegation of Staffing Authority for the year ended December 31, 1973, pursuant to section 45 of the *Public Service Employment Act*, Chapter P-32, R.S.C., 1970.

Report of the National Museums of Canada, including accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 22 of the *National Museums Act*, Chapter N-12, R.S.C., 1970.

Report of the President of the National Research Council of Canada for the fiscal year ended March 31, 1974, pursuant to section 16 of the *National Research Council Act*, Chapter N-14, R.S.C., 1970.

Report on the administration of the *Emergency Gold Mining Assistance Act* for the fiscal year ended March 31, 1974, pursuant to section 10 of the said Act, Chapter E-5, R.S.C., 1970.

Report of the Fisheries Prices Support Board for the fiscal year ended March 31, 1974, pursuant to section 7 of the *Fisheries Prices Support Act*, Chapter F-23, R.S.C., 1970.

Report of the Minister of Finance respecting Olympic coins for the period ended March 31, 1974, pursuant to sections 13(1) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 8th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 8th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-4, intituled: "An Act to amend the Customs Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 8th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 8th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act".

The Bill was then read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 8th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the proceedings on the order of the day for resuming the debate on the motion for an Address in reply to His Excellency the Administrator's Speech from the Throne addressed to both Houses of Parliament be concluded on the eighth sitting day on which the order is debated.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read for the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the First Session of the Thirtieth Parliament of Canada—

The Honourable Senator Neiman moved, seconded by the Honourable Senator Côtteau:—

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After debate,
The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion for an Address to His Excellency be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 3

Wednesday, 2nd October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson.
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,

Connolly
(*Halifax North*),
Connolly
(*Ottawa West*),
Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Everett,
Fergusson,

Forsey,
Fournier
(*de Lanaudière*),
Fournier
(*Madawaska-
Restigouche*),
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Heath,

Hicks,
Inman,
Laing,
Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Manning,
Martin,
McDonald,
McElman,
McIlraith,
McNamara,

Michaud,
Neiman,
Norrie,
O'Leary,
Paterson,
Perrault,
Petten,
Rowe,
Smith,
Thompson,
van Roggen,
Walker,
Welch,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Capital Budget of the Export Development Corporation for the year ended December 31, 1973, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1973-3647, dated November 22, 1973, approving same.

Capital Budget of the Export Development Corporation for the year ending December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-1287, dated May 30, 1974, approving same.

Report of operations under the *Canada Water Act* for the fiscal year ended March 31, 1974, pursuant to section 36 of the said Act, Chapter 5 (1st Supplement), R.S.C., 1970.

Report of the International Development Research Centre, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 22 of the *International Development Research Centre Act*, Chapter 21 (1st Supplement), R.S.C., 1970.

Report on the activities of the Food and Agriculture Organization (FAO) for the fiscal year 1973-74, pursuant to section 3 of the *Food and Agriculture Organization of the United Nations Act*, Chapter F-26, R.S.C., 1970.

Report of activities under the *Prairie Farm Assistance Act* for the Crop Year 1972-73, pursuant to section 12 of the said Act, Chapter P-16, R.S.C., 1970.

Report of the Superintendent of Insurance for Canada, Volume I, Abstract of Statements of Insurance Companies in Canada, for the year ended December 31, 1973, pursuant to section 8 of the *Department of Insurance Act*, Chapter I-17, R.S.C., 1970.

Copies of twelve contracts between the Government of Canada and various municipalities in the Provinces of British Columbia, New Brunswick and Nova Scotia, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970. (English text).

Public Accounts of Canada, Volume I, for the fiscal year ended March 31, 1974, pursuant to section 55(1) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report on the administration of the *Canada Student Loans Act* for the loan year ended June 30, 1973, pursuant to section 18 of the said Act, Chapter S-17, R.S.C., 1970.

The following petition was presented:—

By the Honourable Senator Heath:

Of British Columbia Telephone Company, of the City of Vancouver, in the Province of British Columbia; praying for the passing of an Act amending its Act of incorporation to increase the capital stock of the company, and for other purposes.

Pursuant to the Order of the Day, the Senate resumed the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After debate,

The Honourable Senator Desruisseaux moved, seconded by the Honourable Senator Fergusson, that further debate on the motion for an Address to His Excellency be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 4

Thursday, 3rd October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,
Basha,
Bélisle,
Benidickson,
Blois,
Boucher,
Bourget,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Denis,
Desruisseaux,
Duggan,
Fergusson,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Giguère,
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hastings,
Inman,

Laing,
Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Martin,
McDonald,
McElman,
McIlraith,

McNamara,
Michaud,
Neiman,
Norrie,
O'Leary,
Perrault,
Petten,
Rowe,
Smith,
Thompson,
van Roggen,
Williams.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the National Farm Products Marketing Council, including a statement of expenses, for the fiscal year ended March 31, 1974, pursuant to section 16 of the *Farm Products Marketing Agencies Act*, Chapter 65, Statutes of Canada, 1970-71-72.

Report of Telesat Canada for the year ended December 31, 1973, including its accounts and financial statements certified by the Auditors, pursuant to section 37 of the *Telesat Canada Act*, Chapter T-4, R.S.C., 1970.

Report of the Canadian Radio-Television Commission for the fiscal year ended March 31, 1974, pursuant to section 31 of the *Broadcasting Act*, Chapter B-11, R.S.C., 1970.

Copies of three contracts between the Government of Canada and various municipalities in the Provinces of Alberta and Saskatchewan, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

Report by the Tariff Board, dated July 18, 1974, relative to the investigation ordered by the Minister of Finance respecting Photographic Equipment, Reference No. 147 (English and French texts), together with a copy of the transcript of the evidence presented at public hearings (English text), pursuant to section 6 of the *Tariff Board Act*, Chapter T-1, R.S.C., 1970.

The following petition was read and received:—
Of British Columbia Telephone Company, of the City of Vancouver, in the Province of British Columbia; praying for the passing of an Act amending its Act of incorporation to increase the capital stock of the company, and for other purposes.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 8th October, 1974, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After debate,

The Honourable Senator Macdonald for the Honourable Senator O'Leary moved, seconded by the Honourable Senator Grosart, that further debate on the motion for an Address to His Excellency be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 5

Tuesday, 8th October, 1974

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Connolly	Fournier	Laing,	Molson,
Barrow,	(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Laird,	Neiman,
Basha,	Cook,	Giguère,	Langlois,	Norrie,
Beaubien,	Côté,	Godfrey,	Lapointe,	O'Leary,
Bélisle,	Cottreau,	Goldenberg,	Lefrançois,	Paterson,
Benidickson,	Croll,	Gouin,	Macdonald,	Perrault,
Blois,	Davey,	Graham,	Manning,	Petten,
Bonnell,	Denis,	Grosart,	Martin,	Riel,
Boucher,	Deschatelets,	Haig,	McDonald,	Rowe,
Bourget,	Desruisseaux,	Hastings,	McElman,	Smith,
Buckwold,	Duggan,	Hayden,	McGrand,	Thompson,
Cameron,	Everett,	Hicks,	McIlraith,	van Roggen,
Carter,	Flynn,	Inman,	McNamara,	Walker,
Choquette,	Forsey,	Lafond,	Michaud,	Williams,
				Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Science Council of Canada for the fiscal year ended March 31, 1974, pursuant to section 19 of the *Science Council of Canada Act*, Chapter S-5, R.S.C., 1970.

Report of the Board of Trustees of the Queen Elizabeth II Canadian Fund to Aid in Research on the Diseases of Children, including the Auditor General's Report on the financial statements of the Board, for the fiscal year ended March 31, 1974, pursuant to section 15 of the *Queen Elizabeth II Canadian Research Fund Act*, Chapter Q-1, R.S.C., 1970.

Public Accounts of Canada, Volume III, for the fiscal year ended March 31, 1974, pursuant to section 55(1) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Capital Budgets of Eldorado Nuclear Limited and Eldorado Aviation Limited for the year ending December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copies of Order in Council P.C. 1974-1337, dated June 6, 1974, approving same.

Report on the administration of the *Canadian Forces Superannuation Act* for the fiscal year ended March 31, 1974, pursuant to section 28 of the said Act, Chapter C-9, R.S.C., 1970.

Report on the administration of the *Canadian Forces Superannuation Act*, Part II, including amounts credited to or charged against the Regular Force Death Benefit Account, for the fiscal year ended March 31, 1974, pursuant to section 41 of the said Act, Chapter C-9, R.S.C., 1970.

Report of Defence Construction (1951) Limited, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Statement by the Department of National Defence of moneys received and disbursed in the Special Account (Replacement of Materiel) for the fiscal year ended March 31, 1974, pursuant to section 11(4) of the *National Defence Act*, Chapter N-4, R.S.C., 1970.

Report of the Minister of Labour concerning action taken pursuant to section 181 of the *Canada Labour Code*, Part V (Industrial Relations), in the industrial dispute involving west coast terminal grain elevator companies and the Grain Workers Union, Local 333 (CLC), pursuant to section 181(2) of the said Code, Chapter L-1, R.S.C., 1970, as amended by Chapter 18, Statutes of Canada, 1972.

Amending Order No. 6, amending the Federal Court Rules, made by the Judges of the Federal Court of Canada on August 1, 1974, together with copy of Order in

Council P.C. 1974-2140, dated September 24, 1974, approving same, pursuant to section 46(5) of the *Federal Court Act*, Chapter 10 (2nd Supplement), R.S.C., 1970.

Report of the National Librarian for the fiscal year ended March 31, 1974, pursuant to section 13 of the *National Library Act*, Chapter N-11, R.S.C., 1970.

Supplementary Estimates (A) for the fiscal year ending March 31, 1975.

Report of the National Film Board of Canada, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 20(2) of the *National Film Act*, Chapter N-7, R.S.C., 1970.

Report of the Canada Council, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 23 of the *Canada Council Act*, Chapter C-2, R.S.C., 1970.

Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1972, pursuant to section 18(1) of the said Act, Chapter C-31, R.S.C., 1970.

Report of the Standards Council of Canada for the fiscal year ended March 31, 1974, including its financial statement certified by the Auditor General, pursuant to section 20 of the *Standards Council of Canada Act*, Chapter 41 (1st Supplement), R.S.C., 1970.

Estimates for the fiscal year ending March 31, 1975, together with text of a Statement by the President of the Treasury Board relating thereto.

Report of the Department of National Revenue containing Tables and Statements relative to Customs, Excise and Taxation for the fiscal year ended March 31, 1974, pursuant to section 5 of the *Department of National Revenue Act*, Chapter N-15, R.S.C., 1970.

Capital Budget of Canadian Arsenals Limited for the fiscal year ending March 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with a copy of Order in Council P.C. 1974-1777, dated August 1, 1974, approving same.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-7, intituled: "An Act to authorize federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 15th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-8, intituled: "An Act respecting the use of national safety marks in relation to motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 15th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 15th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-10, intituled: "An Act to amend the Feeds Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 15th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-4, intituled: "An Act to amend the Customs Act",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After debate,

The Honourable Senator Rowe moved, seconded by the Honourable Senator Neiman, that further debate on the motion for an Address to His Excellency be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 6

Wednesday, 9th October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Aird,	Connolly	Giguère,	Langlois,	O'Leary,
Argue,	(Ottawa West),	Godfrey,	Lapointe,	Paterson,
Barrow,	Cook,	Goldenberg,	Lefrançois,	Perrault,
Basha,	Côté,	Gouin,	Macdonald,	Petten,
Beaubien,	Cottreau	Graham,	Manning,	Riley,
Bélisle,	Croll,	Grosart,	McDonald,	Rowe,
Benidickson,	Davey,	Haig,	McElman,	Smith,
Bonnell,	Denis,	Hastings,	McGrand,	Sparrow,
Boucher,	Deschatelets,	Hayden,	McIlraith,	Thompson,
Bourget,	Duggan,	Hicks,	McNamara,	van Roggen,
Buckwold,	Flynn,	Inman,	Michaud,	Walker,
Cameron,	Forsey,	Lafond,	Molson,	Williams,
Carter,	Fournier	Laing,	Neiman,	Yuzyk.
Choquette,	(de Lanaudière),	Laird,	Norrie,	

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, October 7, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that Mrs. Appolloni, Mrs. Holt and Messrs. Allard, Andres (Lincoln), Clarke (Vancouver Quadra), Daudlin, Ellis, Epp, Forrestall, Francis, Grafftey, Loisselle (Chambly), Maine, Marshall, Parent, Patterson, Pelletier (Sherbrooke), Pinard, Raines, Reid, Reynolds, Rodriguez and Symes have been appointed a Committee to direct the printing of the House of Commons and to act on behalf of the House as members of a Joint Committee of both Houses on the subject of the Printing of Parliament.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, October 7, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that Messrs. Balfour, Béchard, Brewin, Fox, Hnatyshyn, Laprise, Lawrence, MacGuigan, Marceau, McCleave, Poulin and Robinson have been appointed a Committee to act on behalf of this House as members of a Joint Committee of both Houses on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, October 7, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that this House has appointed Miss Nicholson and Messrs. Bussièrès, Condon, Daudlin, De Bané, Fortin, Jelinek, Lachance, Lambert (Edmonton West), Lapointe, MacDonald (Egmont), MacKay, Maine, Mitges, O'Sullivan, Pinard, Reid, Roche, Symes, Tessier and Wenman a Committee to assist His Honour the Speaker in the direction of the Library of Parliament so far as the interests of the House of Commons are concerned, and to act on behalf of this House as members of a Joint Committee of both Houses on the Library.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, October 7, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that this House has appointed Miss Bégin and Messrs. Allard, Crouse, Gauthier (Ottawa-Vanier), Gilbert, Guay (St. Boniface), Isabelle, Langlois, Lumley, McKinley, Munro (Esquimalt-Saanich), Neil, Paproski, Roberts, Roy (Laval), Schumacher, Skoreyko, Stewart (Cochrane) and Stollery a Committee to assist His Honour the Speaker in the direction of the management of the Restaurant of Parliament, so far as the interests of the House of Commons are concerned, and to act on behalf of the House as members of a Joint Committee of both Houses on the said Restaurant.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons

Ordered, That the Message do lie on the Table.

The Order of the Day being called for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-4, intituled: "An Act to amend the Customs Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the

gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After debate,

The Honourable Senator Hicks moved, seconded by the Honourable Senator Graham, that further debate on the motion for an Address to His Excellency be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

An inquiry standing in the name of the Honourable Senator Croll being called,

It was—

Ordered, That it be postponed until Tuesday next, 15th October, 1974.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—

Resolved in the affirmative.



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Canada

Journals of the Senate

No. 7

Thursday, 10th October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Boucher,
Bourget,
Buckwold,
Carter,
Choquette,
Connolly
(*Ottawa West*),

Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Duggan,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),

Fournier
(*Restigouche-
Gloucester*),
Gélinas,
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Hicks,
Inman,

Lafond,
Laing,
Laird,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Manning,
Martin,
McDonald,
McElman,
McGrand,
McIlraith,

McNamara,
Michaud,
Neiman,
Norrie,
O'Leary,
Perrault,
Petten,
Riley,
Smith,
Thompson,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-12, intituled: "An Act to provide for the resumption of grain handling operations on the west coast of Canada", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read the second time later this day.

After debate, and—

The question being put on the motion, it was—

Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the operations of the Exchange Fund Account, together with the Auditor General's report on the audit of the Account, for the year ended December 31, 1973, pursuant to sections 17 and 18(2) of the *Currency and Exchange Act*, Chapter C-39, R.S.C., 1970.

Public Accounts of Canada, Volume II, for the fiscal year ended March 31, 1974, pursuant to section 55(1) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Statement of all bonds registered at the office of the Registrar General of Canada for the period February 27, 1974 to September 30, 1974, pursuant to section 32 of the *Public Officers Act*, Chapter P-30, R.S.C., 1970.

Report on operations under the *Regional Development Incentives Act* for the month of July 1974, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

The Honourable Senator Petten, from the Committee of Selection appointed to nominate Senators to serve on the several Standing Committees during the present Session, presented its First Report.

THURSDAY, October 10, 1974.

The Committee of Selection, appointed to nominate Senators to serve on the several Standing Committees during the present Session, makes its First Report, as follows:—

Your Committee has the honour to submit herewith the list of Senators nominated by it to serve on each of the following Standing Committees, namely:

JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT

The Honourable the Speaker, the Honourable Senators Bélisle, Cameron, Choquette, Côté, Forsey, Fournier (de

Lanaudière), Grosart, Heath, Hicks, Macdonald, McIlraith, O'Leary, Quart, Riel, Rowe and Yuzyk. (16)

JOINT COMMITTEE ON PRINTING OF PARLIAMENT

The Honourable Senators Asselin, Beaubien, Bonnell, Duggan, Eudes, Fournier (*Restigouche-Gloucester*), Gouin, Greene, Heath, Macdonald, McGrand, Michaud, Neiman, O'Leary, Riley, Sullivan and Williams. (17)

JOINT COMMITTEE ON RESTAURANT OF PARLIAMENT

The Honourable the Speaker, the Honourable Senators Carter, Fergusson, Forsey, Inman, O'Leary and Quart. (6)

JOINT COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

The Honourable Senators Cottreau, Flynn, Forsey, Godfrey, Lafond, Riel, Robichaud and Walker. (8)

THE COMMITTEE ON STANDING RULES AND ORDERS

The Honourable Senators Argue, Asselin, Boucher, Bourget, Choquette, Connolly (*Ottawa West*), Cook, Desruisseaux, Everett, *Flynn, Forsey, Fournier (*de Lanaudière*), Grosart, Lang, Langlois, Macdonald, McElman, Molgat, Molson, *Perrault, Smith and Stanbury. (20)

* Ex officio members.

THE COMMITTEE ON INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

The Honourable Senators Argue, Basha, Beaubien, Bélisle, Benidickson, Bourget, Buckwold, Davey, Deschatelets, *Flynn, Grosart, Hayden, Langlois, Lapointe (*Speaker*), Lefrançois, McDonald, McElman, Molson, *Perrault, Petten, Quart and Smith. (20)

* Ex officio members.

THE SENATE COMMITTEE ON FOREIGN AFFAIRS

The Honourable Senators Aird, Asselin, Bélisle, Cameron, Carter, Connolly (*Ottawa West*), Croll, Deschatelets, *Flynn, Grosart, Hastings, Lafond, Laird, Macnaughton, Martin, McElman, McNamara, *Perrault, Rowe, Sparrow, van Roggen and Yuzyk. (20)

* Ex officio members.

THE SENATE COMMITTEE ON NATIONAL FINANCE

The Honourable Senators Barrow, Benidickson, Carter, Côté, Croll, Desruisseaux, Everett, *Flynn, Giguère, Graham, Grosart, Hicks, Langlois, Manning, Neiman, O'Leary, Perrault, Prowse, Robichaud, Sparrow, Welch and Yuzyk. (20)

* Ex officio members.

THE SENATE COMMITTEE ON TRANSPORT AND COMMUNICATIONS

The Honourable Senators Blois, Bourget, Burchill, Davey, Denis, Eudes, *Flynn, Forsey, Graham, Haig, Langlois, Lawson, McElman, Molgat, O'Leary, *Perrault, Petten, Prowse, Riley, Smith, Sparrow and Welch. (20)

* Ex officio members.

THE SENATE COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

The Honourable Senators Asselin, Buckwold, Choquette, Croll, Fergusson, *Flynn, Godfrey, Goldenberg, Hastings, Hayden, Laird, Lang, Langlois, McGrand, McIlraith, Neiman, *Perrault, Prowse, Quart, Riel, Robichaud and Walker. (20)

* Ex officio members.

THE SENATE COMMITTEE ON BANKING, TRADE AND COMMERCE

The Honourable Senators Beaubien, Blois, Buckwold, Connolly (*Ottawa West*), Cook, Desruisseaux, *Flynn, Gélinas, Haig, Hayden, Hays, Laing, Laird, Lang, Macnaughton, Martin, McIlraith, Molson, *Perrault, Smith, Sullivan and Walker. (20)

* Ex officio members.

THE SENATE COMMITTEE ON HEALTH, WELFARE AND SCIENCE

The Honourable Senators Argue, Bélisle, Blois, Bonnell, Bourget, Cameron, Carter, Croll, Denis, *Flynn, Fournier (*de Lanaudière*), Goldenberg, Inman, Lamontagne, Langlois, Macdonald, McGrand, Neiman, Norrie, *Perrault, Smith and Sullivan. (20)

* Ex officio members.

THE SENATE COMMITTEE ON AGRICULTURE

The Honourable Senators Argue, Benidickson, Blois, Côté, *Flynn, Fournier (*Restigouche-Gloucester*), Haig, Hays, Inman, Lafond, Laing, McElman, McGrand, McNamara, Michaud, Molgat, Norrie, *Perrault, Sparrow, Welch, Williams and Yuzyk. (20)

* Ex officio members.

All which is respectfully submitted.

WILLIAM J. PETTEN,
Chairman.

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-2, intituled: "An Act to amend the

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Supreme Court Act and to make related amendments to the Federal Court Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called for the second reading of the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-4, intituled: "An Act to amend the Customs Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave

to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to Order, the Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill C-12, intituled: "An Act to provide for the resumption of grain handling operations on the west coast of Canada", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being again called for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 15th October, 1974, at eight o'clock in the evening.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

10 OCTOBER 1974

Madam,

I have the honour to inform you that His Excellency the Right Honourable Bora Laskin, P.C., Administrator of the Government of Canada, will proceed to the Senate Chamber today, the 10th day of October, at 5.45 p.m., for the purpose of giving Royal Assent to a Bill.

I have the honour to be,

Madam,

Your obedient servant,

ANDRÉ GARNEAU

Brigadier General

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five thirty o'clock p.m., it was—

Resolved in the affirmative.

4.50 p.m.

The sitting of the Senate was resumed.

5.45 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of His Excellency the Administrator of the Government of Canada, it was—

Resolved in the affirmative.

After a while the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Administrator of the Government of Canada, having come and being seated upon the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the pleasure of His Excellency the Administrator of the Government of Canada that they attend him immediately in the Senate Chamber".

The House of Commons being come,

The Clerk Assistant read the title of the Bill to be assented to as follows:—

An Act to provide for the resumption of grain handling operations on the west coast of Canada.

To this Bill the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

“In Her Majesty’s name, His Excellency the Administrator of the Government of Canada doth assent to this Bill.”

The Commons withdrew.

His Excellency the Administrator of the Government of Canada was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Denis, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 8

Tuesday, 15th October, 1974

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Gélinas,	Macdonald,	Paterson,
Barrow,	Connolly	Giguère,	Manning,	Perrault,
Basha,	(Ottawa West),	Godfrey,	McDonald,	Petten,
Beaubien,	Cook,	Grosart,	McElman,	Smith,
Bélisle,	Côté,	Hastings,	McGrand,	Sparrow,
Benidickson,	Cottreau,	Hayden,	McIlraith,	Stanbury,
Blois,	Croll,	Hicks,	McNamara,	Sullivan,
Bonnell,	Desruisseaux,	Inman,	Michaud,	Thompson,
Boucher,	Duggan,	Lafond,	Molson,	Walker,
Bourget,	Flynn,	Laird,	Neiman,	Welch,
Buckwold,	Forsey,	Langlois,	Norrie,	Williams,
Burchill,	Fournier	Lapointe,	O'Leary,	Yuzyk.
Carter,	(Restigouche- Gloucester),	Lefrançois,		

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, October 10, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Lawrence has been substituted for that of Mr. Skoreyko on the list of Members appointed to serve on the Standing Joint Committee on the Restaurant of Parliament.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Unemployment Insurance Commission for the year ended December 31, 1973, pursuant to section 130(2) of the *Unemployment Insurance Act, 1971*, Chapter 48, Statutes of Canada, 1970-71-72.

Report of the Unemployment Insurance Advisory Committee for the year ended December 31, 1973, pursuant to section 109(3) of the *Unemployment Insurance Act, 1971*, Chapter 48, Statutes of Canada, 1970-71-72.

Report of the Canadian Film Development Corporation, together with the Report of the Auditor General on its accounts and financial statements, for the fiscal year ended March 31, 1974, pursuant to section 20 of the *Canadian Film Development Corporation Act*, Chapter C-8, R.S.C., 1970.

Report of the National Capital Commission, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

The Clerk of the Senate laid on the Table the first Report of the Examiner of Petitions for Private Bills, as follows:—

TUESDAY, October 15, 1974.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his first Report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of British Columbia Telephone Company, of the City of Vancouver, in the Province of British Columbia; praying for the passing of an Act amending its Act of in-

corporation to increase the capital stock of the company, and for other purposes.

Respectfully submitted.

PIERRE GODBOUT,
Examiner of Petitions for Private Bills.

The Honourable Senator Petten for the Honourable Senator Heath presented to the Senate a Bill S-11, intituled: "An Act respecting British Columbia Telephone Company".

The Bill was read the first time.

The Honourable Senator Petten for the Honourable Senator Heath moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 17th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill S-7, intituled: "An Act to authorize federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be read the third time later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-8, intituled: "An Act respecting the use of national safety marks in relation to motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-9, intituled: "An Act to repeal the

Proprietary or Patent Medicine Act and to amend the Trade Marks Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-4, intituled: "An Act to amend the Customs Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act", be read the second time.

After debate,

The Honourable Senator Grosart for the Honourable Senator Yuzyk moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the First Report of the Committee of Selection.

The Honourable Senator Petten moved, seconded by the Honourable Senator Langlois, that the Report be adopted now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order being called for the third reading of the Bill S-7, intituled: "An Act to authorize federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes",

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be

not now read the third time but that it be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

*With leave,
The Senate reverted to Notices of Motions.*

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending the 31st March, 1975, tabled in the Senate on Tuesday, 8th October, 1974.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1975, tabled in the Senate on Tuesday, 8th October, 1974.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 9

Wednesday, 16th October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Barrow,
Basha,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Burchill,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Davey,
Duggan,
Flynn,
Forsey,
Fournier
(Restigouche-
Gloucester),
Gélinas,
Giguère,
Godfrey,
Greene,

Grosart,
Haig,
Hastings,
Hayden,
Heath,
Hicks,
Inman,
Kickham,
Lafond,
Laird,
Langlois,
Lapointe,
Lawson,
Lafrancois,
Macdonald,

Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,
O'Leary,
Paterson,
Perrault,

Petten,
Quart,
Riel,
Robichaud,
Smith,
Sparrow,
Stanbury,
Sullivan,
Thompson,
van Roggen,
Walker,
Welch,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Capital Budget of the Farm Credit Corporation for the fiscal year ending March 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-1290, dated June 6, 1974, approving same.

Report of the President of the Medical Research Council, including accounts and financial statement certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 17 of the *Medical Research Council Act*, Chapter M-9, R.S.C., 1970.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That a Message be sent to the House of Commons by one of the Clerks at the Table to inform that House that the Honourable Senators Bélisle, Cameron, Choquette, Côté, Forsey, Fournier (*de Lanaudière*), Grosart, Heath, Hicks, Macdonald, McIlraith, O'Leary, Quart, Riel, Rowe and Yuzyk have been appointed a Committee to assist the Honourable the Speaker in the direction of the Library of Parliament, so far as the interests of the Senate concerned, and to act on behalf of the Senate as Members of a Joint Committee of both Houses on the said Library.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That a Message be sent to the House of Commons by one of the Clerks at the Table to inform that House that the Honourable Senators Asselin, Beaubien, Bonnell, Duggan, Eudes, Fournier (*Restigouche-Gloucester*), Gouin, Greene, Heath, Macdonald, McGrand, Michaud, Neiman, O'Leary, Riley, Sullivan and Williams have been appointed a Committee to superintend the printing of the Senate during the present Session and to act on behalf of the Senate as Members of a Joint Committee of both Houses on the subject of the Printing of Parliament.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That a Message be sent to the House of Commons by one of the Clerks at the Table to inform that House that the Honourable the Speaker, the Honourable Senators Carter, Fergusson, Forsey, Inman, O'Leary and Quart have been appointed a Committee to direct the management of the Restaurant of Parliament, so far as the interests of the Senate are concerned, and to act on behalf of

the Senate as Members of a Joint Committee of both Houses on the said Restaurant.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That a Message be sent to the House of Commons by one of the Clerks at the Table to inform that House that the Honourable Senators Cottreau, Flynn, Forsey, Godfrey, Lafond, Riel, Robichaud and Walker have been appointed to act on behalf of the Senate as Members of a Joint Committee of both Houses on Regulations and other Statutory Instruments.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Committee on Internal Economy, Budgets and Administration be empowered, without special reference by the Senate, to consider any matter affecting the internal economy of the Senate, and that it report the result of such consideration to the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Hayden moved, seconded by the Honourable Senator McDonald:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon any bill relating to competition in Canada or to the *Combines Investigation Act*, in advance of the said bill coming before the Senate, or any matter relating thereto;

That the Committee have power to engage the services of such counsel, staff and technical advisers as may be necessary for the purpose of the said examination; and

That the papers and evidence received and taken on the subject in the preceding session be referred to the Committee.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Buckwold, seconded by the Honourable Senator Carter, for the second reading of the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-8, intituled: "An Act respecting the use of national safety marks in relation to motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-4, intituled: "An Act to amend the Customs Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate on the motion for an Address to His Excellency be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

An inquiry standing in the name of the Honourable Senator Croll being called,

It was—

Ordered, That it be postponed until Tuesday next, 22nd October, 1974.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 10

Thursday, 17th October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Burchill,
Carter,

Choquette,
Connolly
(Ottawa West),
Cook,
Cottreau,
Croll,
Davey,
Deschatelets,
Duggan,
Flynn,
Forsey,

Fournier
(Restigouche-
Gloucester),
Gélinas,
Giguère,
Godfrey,
Greene,
Grosart,
Haig,
Hastings,
Heath,
Inman,

Lafond,
Laird,
Langlois,
Lapointe,
Lawson,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,

Molgat,
Neiman,
Norrie,
O'Leary,
Perrault,
Petten,
Riel,
Robichaud,
Smith,
Sparrow,
Stanbury,
van Roggen,
Williams.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Company of Young Canadians, including accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 25 of the *Company of Young Canadians Act*, Chapter C-26, R.S.C., 1970.

Addendum to the actuarial report on the operation of the *Canada Pension Plan* as at December 31, 1973, tabled in the Senate April 22, 1974, pursuant to section 116(3) of the said Plan, Chapter C-5, R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 22nd October, 1974, at two o'clock in the afternoon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-11, intituled: "An Act respecting British Columbia Telephone Company",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Buckwold, seconded by the Honourable Senator Carter, for the second reading of the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Neiman moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill S-8, intituled:

"An Act respecting the use of national safety marks in relation to motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another", be read the second time.

After debate,

The Honourable Senator Haig moved, seconded by the Honourable Senator O'Leary, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Bonnell moved, seconded by the Honourable Senator McGrand, that the Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act", be read the second time.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That the Order of the Day for the second reading of the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada", be brought forward.

Pursuant to the Order of the Day, the Honourable Senator Stanbury moved, seconded by the Honourable Senator Greene, P.C., that the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada", be read the second time.

After debate,

The Honourable Senator Choquette moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Argue moved, seconded by the Honourable Senator Heath, that the Bill S-10, intituled: "An Act to amend the Feeds Act", be read the second time.

After debate,

The Honourable Senator Macdonald for the Honourable Senator Yuzyk moved, seconded by the Honourable

Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Inman, that the Bill S-4, intituled: "An Act to amend the Customs Act", be read the second time.

After debate,

The Honourable Senator Bélisle moved, seconded by the Honourable Senator Argue, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Heath moved, seconded by the Honourable Senator Forsey, that the Bill S-11, intituled: "An Act respecting British Columbia Telephone Company", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Heath moved, seconded by the Honourable Senator Forsey, that the Bill be referred to the Standing Senate Committee on Transport and Communications.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 11

Tuesday, 22nd October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE. Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cottreau,	Giguère,	Lapointe,	Perrault,
Asselin,	Croll,	Godfrey,	Lefrançois,	Petten,
Barrow,	Davey,	Goldenberg,	Macdonald,	Robichaud,
Basha,	Denis,	Graham,	Macnaughton,	Rowe,
Beaubien,	Desruisseaux,	Greene,	McDonald,	Smith,
Bélisle,	Duggan,	Grosart,	McGrand,	Stanbury,
Blois,	Fergusson,	Haig,	McIlraith,	Sullivan,
Boucher,	Flynn,	Hayden,	McNamara,	Thompson,
Bourget,	Fournier	Hicks,	Molgat,	van Roggen.
Buckwold,	(de Lanaudière),	Inman,	Molson,	Walker,
Cameron,	Fournier	Lafond,	Neiman,	Welch,
Carter,	(Restigouche-	Laird,	Norrie,	Williams,
Choquette,	Gloucester),	Lamontagne,	O'Leary,	Yuzyk.
Connolly	Gélinas,	Langlois,	Paterson	

(Ottawa West).

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copy of Report prepared by the Consumer Research Council entitled "Consumer Interest in Marketing Boards", dated September 1974.

Report of the Department of Agriculture for the fiscal year ended March 31, 1973, pursuant to section 6 of the *Department of Agriculture Act*, Chapter A-10, R.S.C., 1970.

Report of the Canadian Saltfish Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 32 of the *Saltfish Act*, Chapter 37 (1st Supplement), and section 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of The Fisheries Research Board of Canada for the year ended December 31, 1973, pursuant to section 12 of the *Fisheries Research Board Act*, Chapter F-24, R.S.C., 1970.

Report of the Canadian Broadcasting Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 47 of the *Broadcasting Act*, Chapter B-11, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Law Reform Commission of Canada for the year ended May 31, 1974, pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970.

Report of Canadian Overseas Telecommunication Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 16 of the *Canadian Overseas Telecommunication Corporation Act*, ended March 31, 1974, pursuant to section 16 of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Department of Public Works for the fiscal year ended March 31, 1974, pursuant to section 34 of the *Public Works Act*, Chapter P-38, R.S.C., 1970.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-12, intituled: "An Act to amend the Immigration Act".

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-13, intituled: "An Act respecting the Boundary between the Provinces of Alberta and British Columbia".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 24th October, 1974.

The question being put on the motion, it was —
Resolved in the affirmative.

The Honourable Senator Carter for the Honourable Senator Sparrow, Deputy Chairman, from the Standing Senate Committee on National Finance which was authorized to examine and report upon the expenditures as set out in the Estimates and Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1975, presented to the Senate the Report of the said Committee on the said Estimates and Supplementary Estimates (A), as follows:—

THURSDAY, 17th October, 1974

The Standing Senate Committee on National Finance, to which the Estimates and Supplementary Estimates (A) laid before Parliament for the fiscal year ending March 31, 1975 were referred, has in obedience to the orders of reference of Tuesday, October 15, 1974, examined the said Estimates and Supplementary Estimates (A) and reports as follows:

1. Your Committee was authorized by the Senate as recorded in the Minutes of the Proceedings of the Senate of the 15th of October, 1974, to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending March 31, 1975, tabled in the Senate Tuesday, October 8, 1974, and to examine and report upon the expenditures set out in the Supplementary Estimates (A) laid before Parliament for the fiscal year ending March 31, 1975, tabled in the Senate Tuesday, October 8, 1974.

2. In obedience to the foregoing, your Committee examined the Estimates and Supplementary Estimates (A) and heard evidence from the Honourable J. Chrétien, President of the Treasury Board, and Mr. B. A. MacDonald, Assistant Secretary, Program Branch.

3. The Main Estimates for 1974/75 amount to \$23,296 million. Of this amount \$11,544 million are statutory in nature, \$10,478 million represent funds for which Parliament is asked to provide new authority and \$1,274 million are non-budgetary items representing loans, investments and advances. In the 1973/74 fiscal year, the Main Estimates amounted to \$19,186 million and by two Supplementary Estimates they were increased to \$20,989 million, of which \$9,849 million were statutory in nature, \$10,231 million represented funds for which Parliament was asked

to provide new authority and \$909 million in non-budgetary items.

4. The difference between the Main Estimates of 1974/75 (\$23,296 million) and the final authorization for 1973/74 (\$20,989 million) is \$2,307 million of which \$1,942 million were budgetary items. Some of the major increases are as follows:

Canadian International Development Agency	\$ 50 million
National Health and Welfare	1,286 million
Post Office	109 million
National Defence	145 million
Canadian Broadcasting Corporation	60 million
Environment	51 million
Agriculture	55 million

The Committee questioned the witnesses on these and other increases.

5. The Committee was particularly gratified that the President of the Treasury Board said that he hopes the Federal Government's expenditures for 1975/76 would account for a no greater share, or even less of a share, of the gross national product than was accounted for in 1974/75, observing that your Committee has recommended in the past that the annual increase in Federal Government expenditures should not exceed the annual increase in the gross national product. Your Committee reaffirms this recommendation.

6. Mr. MacDonald informed your Committee that the items in the Supplementary Estimates (A), the total of which amounts to \$889 million for budgetary items and \$15 million for non-budgetary items, relate to special warrants issued during the period of dissolution of Parliament except for the following items:

Vote 52a Department of Energy, Mines and Resources—
Energy Supplies Allocation Board
\$330 million

Vote 41a Department of Industry, Trade and Commerce
—Grains and Oilseeds
79 million

Respectfully submitted.

H. O. SPARROW,
Deputy Chairman.

The Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-8, intituled: "An Act respecting the use of national safety marks in relation to motor

vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Bonnell, seconded by the Honourable Senator McGrand, for the second reading of the Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator Heath, for the second reading of the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Stanbury, seconded by the Honourable Senator Greene, P.C., for the second reading of the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Inman, for the second reading of the Bill S-4, intituled: "An Act to amend the Customs Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Buckwold, seconded by the Honourable Senator Carter, for the second reading of the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called for the second reading of the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft",

It was—

Ordered, That it be postponed until later this day.

Pursuant to the Order of the Day, the Senate resumed the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Côtteau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After debate,

The Honourable Senator Graham moved, seconded by the Honourable Senator Norrie, that further debate on the motion for an Address to His Excellency be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Croll called the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate.

After debate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at eight o'clock p.m., it was—

Resolved in the affirmative.

4.25 p.m.

The sitting of the Senate was resumed.

8.00 p.m.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-8, intituled: "An Act respecting the use of national safety marks in relation to motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Neiman moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That the Order of the Day to resume the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act", be brought forward.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act".

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Sullivan resumed the debate on the motion of the Honourable Senator Bonnell, seconded by the Honourable Senator McGrand, for the second reading of the Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act".

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator Heath, for the second reading of the Bill S-10, intituled: "An Act to amend the Feeds Act".

After debate,

The Honourable Senator Norrie moved, seconded by the Honourable Senator Buckwold, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Stanbury, seconded by the Honourable Senator Greene, P.C., for the second reading of the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten, that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being again called to resume the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Inman, for the second reading of the Bill S-4, intituled: "An Act to amend the Customs Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being again called to resume the debate on the motion of the Honourable Senator Buckwold, seconded by the Honourable Senator Carter, for the second reading of the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being again called for the second reading of the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1974
Canada

Journals of the Senate

No. 12

Wednesday, 23rd October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(Ottawa West),
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Gélinas,
Giguère,
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hayden,
Hicks,
Inman,

Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McGrand,
McIlraith,
McNamara,
Molgat,
Molson,
Neiman,

Norrie,
O'Leary,
Paterson,
Perrault,
Petten,
Robichaud,
Rowe,
Smith,
Stanbury,
Thompson,
van Roggen,
Walker,
Welch,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, October 22, 1974

Resolved,—That a Special Joint Committee of the Senate and House of Commons be appointed to consider and make recommendations upon Parts I, II and III of the paper entitled "Employer-Employee Relations in the Public Service of Canada", prepared by the Chairman of the Public Service Staff Relations Board;

That 14 Members of the House of Commons to be designated by the House at a later date be the members on the part of this House of the Special Joint Committee;

That the said Committee have power to send for persons, papers and records and examine witnesses; to sit during periods when the House stands adjourned; to report from time to time and to print such papers and evidence from day to day as may be deemed advisable; and to delegate to sub-committees all or any of their powers except the power to report directly to the House;

Ordered,—And that a Message be sent to the Senate requesting that House to unite with this House for the above purpose, and to select, if the Senate deems it advisable, some of its Members to act on the proposed Special Joint Committee.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Message be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the administration of the *Industrial Research and Development Incentives Act* for the fiscal year ended March 31, 1974, pursuant to section 17 of the said Act, Chapter I-10, R.S.C., 1970.

Rules of Procedure, dated October 1974, made by the Anti-dumping Tribunal under authority of section 25(1) of the *Anti-dumping Act*, pursuant to section 25(2) of the said Act, Chapter A-15, R.S.C., 1970.

The following petition was presented:—

By the Honourable Senator Macnaughton, P.C.:

Of International Air Transport Association, of the City of Montreal, in the Province of Quebec; praying for the

passing of an Act amending its Act of incorporation to empower the Association to admit to its membership air transport enterprises operating international air services other than scheduled air services.

The Honourable Senator Lamontagne, P.C., tabled the following Report:—

WEDNESDAY, October 23, 1974

The Honourable Senator Lamontagne, P.C., the Chairman of the Special Committee of the Senate on Science Policy appointed in the 2nd Session of the 29th Parliament on 27th March, 1974, to organize and hold a Conference for the purpose of determining the feasibility of establishing a Commission on the Future with power to incur special expenses in connection therewith, reports, pursuant to Rule 84, that the expenses incurred by the Committee during the 2nd Session of the 29th Parliament are as follows:

Transportation and Communications	\$ 868.95	
Professional and Special Services	35,116.43	
Utilities, Materials and Supplies	958.30	
All Other Expenditures	562.27	\$37,505.95

Respectfully submitted,

MAURICE LAMONTAGNE

The Honourable Senator Argue from the Standing Senate Committee on Agriculture tabled the following Report:—

WEDNESDAY, October 23, 1974

The Standing Senate Committee on Agriculture which was authorized by the Senate in the 1st and 2nd Sessions of the 29th Parliament to examine from time to time, any aspect of the agricultural industry in Canada and on 8th April, 1974, to incur special expenses in connection with any such examination, reports, pursuant to Rule 84, that the expenses incurred by the Committee in connection therewith during the 2nd Session of the 29th Parliament are as follows:

Information—Printing	\$ 6,521.88	
Professional and Special Services	5,528.03	
All Other Expenditures	34.00	\$12,083.91

Respectfully submitted,

HAZEN R. ARGUE,
Chairman.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce tabled the following Report:—

WEDNESDAY, October 23, 1974

The Standing Senate Committee on Banking, Trade and Commerce, which was authorized in the 2nd Session of the 29th Parliament to examine and report upon any bill relating to competition in Canada or to the Combines Investigation Act, in advance of the said bill coming before the Senate, with power to incur special expenses in relation thereto, reports, pursuant to Rule 84, that the expenses incurred by the Committee in connection with the said examination during the 2nd Session of the 29th Parliament are as follows:

Transportation and		
Communications	\$ 228.45	
Information—Printing	3,689.90	
Professional and Special		
Services	7,625.00	\$11,543.35
	<hr/>	<hr/>

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-7, intituled: "An Act to authorize federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Neiman moved, seconded by the Honourable Senator Norrie, that the Bill S-8, intituled: "An Act respecting the use of national safety marks in relation to motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator Heath, for the second reading of the Bill S-10, intituled: "An Act to amend the Feeds Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Argue moved, seconded by the Honourable Senator Forsey, that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Laird moved, seconded by the Honourable Senator Carter, that the Bill S-12, intituled: "An Act to amend the Immigration Act", be read the second time.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Hicks, that further debate on the motion be adjourned until Tuesday next, 29th October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Inman, for the second reading of the Bill S-4, intituled: "An Act to amend the Customs Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Inman, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Buckwold, seconded by the Honourable Senator Carter, for the second reading of the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Giguère moved, seconded by the Honourable Senator Fergusson, that the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Giguère moved, seconded by the Honourable Senator Fergusson, that the Bill be referred to the Standing Senate Committee on Transport and Communications.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of

the Honourable Senator Neiman, seconded by the Honourable Senator Cotteau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Macdonald, that further debate on the motion for an Address to His Excellency be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on National Finance on the Estimates and Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 13

Thursday, 24th October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(Ottawa West),
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Gélinas,
Giguère,
Godfrey,
Graham,
Greene,
Grosart,
Haig,
Hicks,
Lafond,
Laird,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McGrand,
McIlraith,
McNamara,
Molson,
Neiman,
Norrie,

O'Leary,
Perrault,
Petten,
Prowse,
Robichaud,
Rowe,
Smith,
Stanbury,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Director of Investigation and Research, *Combines Investigation Act*, for the fiscal year ended March 31, 1974, pursuant to section 49 of the said Act, Chapter C-23, R.S.C., 1970.

Copy of a report of a study into concerns raised in the Food Prices Review Board's study on eggs.

The following petition was read and received:—

Of International Air Transport Association, of the City of Montreal, in the Province of Quebec; praying for the passing of an Act amending its Act of incorporation to empower the Association to admit to its membership air transport enterprises operating international air services other than scheduled air services.

The Honourable Senator Forsey from the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments tabled the following Report:—

THURSDAY, October 24, 1974

The Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments which was authorized by the Senate on 23rd April and 30th April, 1974, to incur special expenses in connection with its permanent reference relating to the review and scrutiny of statutory instruments, reports, pursuant to Rule 84, that the expenses incurred by the Committee in connection therewith during the 2nd Session of the 29th Parliament are as follows:

Transportation and Communications			
Transportation	\$ 4,120.96		
Professional and Special Services			
Other Special Assistance	\$17,853.42	\$21,974.38	

Respectfully submitted,

EUGENE A. FORSEY,
Joint Chairman.

The Honourable Senator Forsey from the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments presented its first Report as follows:—

THURSDAY, October 24, 1974

The Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments presents its first Report, as follows:

Your Committee recommends that its quorum be fixed at seven (7) members, provided that both Houses are

represented, whenever a vote, resolution or other decision is taken, and that the Joint Chairmen be authorized to hold meetings and receive evidence so long as five (5) members are present, provided that both Houses are represented;

That the Committee have power to engage the services of such expert staff, and such stenographic and clerical staff as may be required; and

That the Committee have power to send for persons, papers and records, to examine witnesses, to report from time to time, and to adjourn from place to place.

Your Committee further recommends that it be empowered to sit during sittings and adjournments of the Senate.

Respectfully submitted,

EUGENE A. FORSEY,
Joint Chairman.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Yuzyk, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Haig from the Standing Senate Committee on Transport and Communications to which was referred the Bill S-11, intituled: "An Act respecting British Columbia Telephone Company", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Haig moved, seconded by the Honourable Senator Bélisle, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 29th October, 1974, at two o'clock in the afternoon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill S-7, intituled: "An Act to authorize federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called for the second reading of the Bill S-13, intituled: "An Act respecting the Boundary between the Provinces of Alberta and British Columbia",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the consideration of His Excellency the Administrator's Speech from the Throne at the opening of the present Session of Parliament and the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Cottreau:

That the following Address be presented to His Excellency the Administrator of the Government of Canada:

To His Excellency the Right Honourable Bora Laskin, Chief Justice of Canada and Administrator of the Government of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada, in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

After further debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois:

That the Address be engrossed and presented to His Excellency the Administrator of the Government of Canada by the Honourable the Speaker.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Message from the House of Commons requesting the appointment of a Special Joint Committee of the Senate and House of Commons to consider and make recommendations upon Parts I, II and III of the paper entitled "Employer-Employee Relations in the Public Service of Canada", prepared by the Chairman of the Public Service Staff Relations Board.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois:

That the Senate do unite with the House of Commons in the appointment of a Special Joint Committee of both Houses of Parliament to consider and make recommendations upon Parts I, II and III of the paper entitled "Employer-Employee Relations in the Public Service of Canada", prepared by the Chairman of the Public Service Staff Relations Board;

That seven Members of the Senate, to be designated at a later date, act on behalf of the Senate as members of the said Special Joint Committee;

That the Committee have power to send for persons, papers and records and to examine witnesses; to report from time to time and to print such papers and evidence from day to day as may be deemed advisable; and to delegate to sub-committees all or any of their powers except the power to report directly to the Senate;

That the Committee have power to sit during sittings and adjournments of the Senate; and

That a Message be sent to the House of Commons to inform that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until Monday, 4th November, 1974.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on National Finance on the Estimates and Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1975.

The Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 14

Tuesday, 29th October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Aird,	Connolly	Fournier	Langlois,	Paterson,
Argue,	(Ottawa West),	(Restigouche-	Lapointe,	Perrault,
Asselin,	Cook,	Gloucester),	Lefrançois,	Petten,
Barrow,	Côté,	Godfrey,	Macdonald,	Prowse,
Basha,	Cottreau,	Goldenberg,	Macnaughton,	Riel,
Beaubien,	Croll,	Graham,	McDonald,	Riley,
Bélisle,	Davey,	Greene,	McGrand,	Rowe,
Benidickson,	Denis,	Grosart,	McIlraith,	Smith,
Blois,	Deschatelets,	Haig,	McNamara,	Sparrow,
Boucher,	Desruisseaux,	Hastings,	Michaud,	Stanbury,
Bourget,	Fergusson,	Hayden,	Molgat,	Sullivan,
Buckwold,	Flynn,	Hicks,	Molson,	Thompson,
Carter,	Forsey,	Inman,	Neiman,	Walker,
Choquette,	Fournier	Lafond,	Norrie,	Williams,
	(de Lanaudière),	Laird,	O'Leary,	Yuzyk.

PRAYERS.

The Honourable the Speaker informed the Senate that, in conformity with Rule 112, the Clerk of the Senate had laid on the Table a detailed statement of his receipts and disbursements for the fiscal year 1973-74.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Clerk's Accounts be referred to the Standing Committee on Internal Economy, Budgets and Administration.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, October 24, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Baldwin, Bussi res, Railton and Trudel have been substituted for those of Messrs. Lawrence, B chard, Fox and MacGuigan on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, October 24, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. B chard, Fox and MacGuigan have been substituted for those of Messrs. Bussi res, Railton and Trudel on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-31, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending 31st March, 1975", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the second time now.

After debate,
The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Postmaster General respecting Olympic coins for the period July 28, 1973 to March 31, 1974, pursuant to sections 13(2) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

Copies of letters, dated between July 30, 1974 and October 24, 1974, exchanged between the federal Minister of Communications and the Ministers of Transport and Communications for the Provinces of Ontario and British Columbia, together with press communiqu  issued following the Fifth Conference of Communications Ministers held at Toronto, Ontario, September 30-October 1, 1974.

Report of the Canadian Dairy Commission, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 22 of the *Canadian Dairy Commission Act*, Chapter C-7, R.S.C., 1970.

Copies of a contract between the Government of Canada and the Town of Merritt, B.C., for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

Copy of an Agreement on an International Energy Program, done at Brussels, September 27, 1974 (English text).

The Honourable Senator Carter for the Honourable Senator Cameron presented to the Senate a Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)".

The Bill was read the first time.

The Honourable Senator Carter for the Honourable Senator Cameron moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 31st October, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Grosart for the Honourable Senator van Roggen from the Standing Senate Committee on Foreign Affairs tabled the following Report:—

TUESDAY, October 29, 1974.

The Standing Senate Committee on Foreign Affairs, which was authorized by the Senate on March 26, 1974, to examine and report upon Canadian relations with the United States, reports, pursuant to Rule 84, that the expenses incurred by the Committee in connection with the said examination during the 2nd Session of the 29th Parliament are as follows:

Transportation and Communications			
Transportation	\$	429.24	
Information—Printing			
Committee Proceedings	\$12,076.57	\$12,505.81	

Respectfully submitted,

ALLISTER GROSART,
Deputy Chairman,
for
GEORGE C. VAN ROGGEN,
Chairman.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the name of the Honourable Senator Laird be substituted for that of the Honourable Senator Hayden on the list of Senators serving on the Standing Committee on Internal Economy, Budgets and Administration.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Haig moved, seconded by the Honourable Senator Beaubien, that the Bill S-11, intituled: "An Act respecting British Columbia Telephone Company", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Carter, for the second reading of the Bill S-12, intituled: "An Act to amend the Immigration Act".

After debate,

The Honourable Senator Argue moved, seconded by the Honourable Senator Molgat, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at eight o'clock p.m., it was—

Resolved in the affirmative. 3.20 p.m.

The sitting of the Senate was resumed. 8.00 p.m.

Pursuant to Order, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-31, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending 31st March, 1975".

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-13, intituled: "An Act respecting the Boundary between the Provinces of Alberta and British Columbia".

It was—
Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the first Report of the Standing Joint Committee of the Senate and the House of Commons on Regulations and other Statutory Instruments.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Lafond, that the Report be adopted now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Argue moved, seconded by the Honourable Senator Yuzyk:

That the Standing Senate Committee on Agriculture be empowered, without special reference by the Senate, to examine, from time to time, any aspect of the agricultural industry in Canada; provided that all Senators shall be notified of any scheduled meeting of the Committee and the purpose thereof and that the Committee report the result of any such examination to the Senate;

That the Committee have power to engage the services of such counsel, staff and technical advisers as may be necessary for the purposes of such examination; and

That the Committee have power to sit during adjournments of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 15

Wednesday, 30th October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Goldenberg,	Macdonald,	Petten,
Barrow,	Côté,	Graham,	Macnaughton,	Prowse,
Basha,	Cottreau,	Greene,	Martin,	Riel,
Beaubien,	Croll,	Grosart,	McDonald,	Riley,
Bélisle,	Davey,	Haig,	McGrand,	Rowe,
Benidickson,	Denis,	Hastings,	McIlraith,	Smith,
Blois,	Deschatelets,	Hayden,	McNamara,	Sparrow,
Boucher,	Desruisseaux,	Hicks,	Michaud,	Stanbury,
Bourget,	Fergusson,	Inman,	Molgat,	Sullivan,
Buckwold,	Forsey,	Lafond,	Molson,	Thompson,
Carter,	Fournier	Laird,	Neiman,	Walker,
Choquette,	(Restigouche-	Langlois,	Norrie,	Williams,
Connolly	Gloucester),	Lapointe,	O'Leary,	Yuzyk.
(Ottawa West),	Godfrey,	Lefrançois,	Perrault,	

PRAYERS.

Tribute was paid to the Honourable Senator Martin, P.C., on the occasion of his resignation from the Senate.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of operations under the *Government Annuities Act* for the fiscal year ended March 31, 1974, pursuant to section 16 of the said Act, Chapter G-6, R.S.C., 1970.

Copies of Joint Press Communiqué on visit to Brazil of Canadian Ministerial Mission, October 18-27, 1974.

The Honourable Senator Connolly, P.C., for the Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-4, intituled: "An Act to amend the Customs Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs tabled the following Report:—

TUESDAY, October 29, 1974

The Standing Senate Committee on Legal and Constitutional Affairs which was authorized by the Senate in the 3rd and 4th Sessions of the 28th Parliament and in the 1st and 2nd Sessions of the 29th Parliament to examine and report upon all aspects of the parole system in Canada and to incur special expenses in relation thereto, reports, pursuant to Rule 84, that the expenses incurred by the Committee in connection with the said examination during the 2nd Session of the 29th Parliament are as follows:

Transportation and
Communications

Communications \$ 30.00

Professional and
Special Services

Secretarial &
Clerical \$ 4,230.47

Other Special
Assistance 11,737.50 15,967.97

Utilities, Materials
and Supplies

Office Stationery
& Supplies 7.62

All Other

Expenditures

Rental of

Equipment 58.00

Miscellaneous 66.80 124.80 \$16,130.39

Respectfully submitted,

H. CARL GOLDENBERG,
Chairman.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-31, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending 31st March, 1975", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE
OTTAWA

30 OCTOBER 1974

Madam,

I have the honour to inform you that His Excellency the Right Honourable Bora Laskin, P.C., Administrator of the Government of Canada, will proceed to the Senate Chamber today, the 30th day of October, at 5:45 p.m., for the purpose of giving Royal Assent to a Bill.

I have the honour to be,
Sir,

Your obedient servant,

ANDRÉ GARNEAU,

Brigadier General,

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Langlois resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Carter, for the second reading of the Bill S-12, intituled: "An Act to amend the Immigration Act".

After debate,

The Honourable Senator Bélisle moved, seconded by the Honourable Senator Haig, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Prowse moved, seconded by the Honourable Senator Williams, that the Bill S-13, intituled: "An Act respecting the Boundary between the Provinces of Alberta and British Columbia", be read the second time.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 4.10 p.m.

The sitting of the Senate was resumed. 5.45 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of His Excellency the Administrator of the Government of Canada, it was—

Resolved in the affirmative.

After a while the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Administrator of the Government of Canada, having come and being seated upon the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the pleasure of His Excellency the Administrator of the Government of Canada that they attend him immediately in the Senate Chamber".

The House of Commons being come,

The Honourable the Speaker of the Commons addressed His Excellency the Administrator of the Government of Canada, as follows:—

"May it please Your Excellency:

The Commons of Canada have voted supplies required to enable the Government to defray certain expenses of the public service:

In the name of the Commons, I present to Your Excellency the following Bill:—

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending 31st March, 1975.

To which Bill I humbly request Your Excellency's Assent."

After the Clerk Assistant read the title of the Bill,—

To this Bill the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, His Excellency the Administrator of the Government of Canada thanks her loyal subjects, accepts their benevolence and assents to this Bill."

The Commons withdrew.

His Excellency the Administrator of the Government of Canada was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 16

Thursday, 31st October, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Connolly	Forsey,	Laird,	O'Leary,
Barrow,	(<i>Ottawa West</i>),	Fournier	Lamontagne,	Perrault,
Basha,	Cook,	(<i>Restigouche-</i>	Langlois,	Petten,
Beaubien,	Côté,	<i>Gloucester</i>),	Lapointe,	Prowse,
Bélisle,	Cottreau,	Godfrey,	Lefrançois,	Riley,
Benidickson,	Croll,	Goldenberg,	Macdonald,	Robichaud,
Blois,	Davey,	Graham,	McDonald,	Rowe,
Boucher,	Denis,	Greene,	McGrand,	Smith,
Bourget,	Deschatelets,	Grosart,	McIlraith,	Sparrow,
Buckwold,	Desruisseaux,	Haig,	McNamara,	Stanbury,
Carter,	Fergusson,	Hastings,	Michaud,	Thompson,
Choquette,	Flynn,	Inman,	Molson,	Walker,
		Lafond,	Norrie,	Williams.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, October 30, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Loïselle (*Chambly*) and Lachance have been substituted for those of Messrs. Marceau and MacGuigan on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on operations under the *Regional Development Incentives Act* for the month of August 1974, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 5th November, 1974, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Connolly, P.C., that the Bill S-4, intituled: "An Act to amend the Customs Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Carter, for the second reading of the Bill S-12, intituled: "An Act to amend the Immigration Act".

After debate,
The Honourable Senator Macdonald for the Honourable Senator Yuzyk moved, seconded by the Honourable Sen-

ator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,
The Honourable Senator O'Leary resumed the debate on the motion of the Honourable Senator Prowse, seconded by the Honourable Senator Williams, for the second reading of the Bill S-13, intituled: "An Act respecting the Boundary between the Provinces of Alberta and British Columbia".

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,
The Honourable Senator Prowse moved, seconded by the Honourable Senator Williams, that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Denis, P.C.:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report upon the matter of the program entitled "Les beaux dimanches", televised on 28th April, 1974, on the French network of the Canadian Broadcasting Corporation.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 17

Tuesday, 5th November, 1974

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Fournier	Langlois,	Paterson,
Barrow,	Côté,	(<i>Restigouche-</i>	Lapointe,	Perrault,
Basha,	Cottreau,	<i>Gloucester</i>),	Lawson,	Petten,
Beaubien,	Croll,	Godfrey,	Lefrançois,	Riel,
Bélisle,	Denis,	Graham,	Macnaughton,	Riley,
Benidickson,	Desruisseaux,	Grosart,	Manning,	Rowe,
Bonnell,	Duggan,	Haig,	McDonald,	Sparrow,
Boucher,	Everett,	Hayden,	McGrand,	Thompson,
Bourget,	Fergusson,	Heath,	McIlraith,	van Roggen,
Carter,	Flynn,	Hicks,	McNamara,	Walker,
Choquette,	Forsey,	Inman,	Michaud,	Williams,
Connolly	Fournier	Lafond,	Molson,	Yuzyk.
(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Laird,	Neiman,	

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, November 4, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Leggatt has been substituted for that of Mr. Brewin on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Superintendent of Insurance for Canada on Co-operative Credit Societies for the year ended December 31, 1973, pursuant to section 57 of the *Co-operative Credit Associations Act*, Chapter C-29, R.S.C., 1970.

Report of Eldorado Nuclear Limited and its subsidiary, Eldorado Aviation Limited, including their accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of Telex from the Prime Minister to Provincial Premiers, dated October 16, 1974, concerning the 15th Annual Premiers' Conference.

Copies of Order in Council P.C. 1974-2352, dated October 22, 1974, respecting the variation and removal of reduction in tariffs under paragraph 3(1)(b) of the *Maritime Freight Rates Act*, pursuant to section 5(3) of the *Atlantic Region Freight Assistance Act*, Chapter A-18, R.S.C., 1970.

Copies of a pamphlet entitled "What you need to know about Employing Foreign Workers", issued by the Department of Manpower and Immigration.

With leave of the Senate,

The Honourable Senator van Roggen moved, seconded by the Honourable Senator Riel:

That the Standing Senate Committee on Foreign Affairs be authorized to examine and report upon Canadian relations with the United States;

That the Committee be empowered to engage the services of such counsel and technical, clerical and other personnel as may be required for the purpose of the said examination, at such rates of remuneration and reimbursement as the Committee may determine, and to compensate witnesses by reimbursement of travelling and living expenses, if required, in such amount as the Committee may determine;

That the papers and evidence received and taken on the subject in the preceding session be referred to the Committee; and

That the Committee have power to sit during adjournments of the Senate.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Carter, for the second reading of the Bill S-12, intituled: "An Act to amend the Immigration Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Laird moved, seconded by the Honourable Senator Carter, that the Bill be referred to the Standing Senate Committee on Foreign Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Croll being called,

It was—

Ordered, That it be postponed until Tuesday next, 12th November, 1974.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 18

Wednesday, 6th November, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,	Cook,	Fournier	Langlois,	Neiman,
Basha,	Côté,	(<i>de Lanaudière</i>),	Lapointe,	Paterson,
Beaubien,	Cottreau,	Godfrey,	Lefrançois,	Perrault,
Bélisle,	Croll,	Grosart,	Macnaughton,	Petten,
Benidickson,	Davey,	Haig,	Manning,	Robichaud,
Bonnell,	Denis,	Hayden,	McDonald,	Rowe,
Boucher,	Desruisseaux,	Heath,	McGrand,	Sparrow,
Bourget,	Duggan,	Hicks,	McIlraith,	van Roggen,
Carter,	Everett,	Inman,	McNamara,	Walker,
Choquette,	Fergusson,	Lafond,	Michaud,	Williams,
Connolly	Flynn,	Laird,	Molgat,	Yuzyk.
(<i>Ottawa-Ouest</i>),	Forsey,	Lamontagne,	Molson,	

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Aide-Memoire, dated April 20, 1974, presented to the European Communities; copies of Discussion Draft of Trade Agreement between Canada and the European Communities; and copies of Official Communication to the Political Coordination Committee of the Nine.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator van Roggen, seconded by the Honourable Senator Riel:

That the Standing Senate Committee on Foreign Affairs be authorized to examine and report upon Canadian relations with the United States;

That the Committee be empowered to engage the services of such counsel and technical, clerical and other personnel as may be required for the purpose of the said examination, at such rates of remuneration and reimbursement as the Committee may determine, and to compensate witnesses by reimbursement of travelling and living expenses, if required, in such amount as the Committee may determine;

That the papers and evidence received and taken on the subject in the preceding session be referred to the Committee; and

That the Committee have power to sit during adjournments of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Molgat called the attention of the Senate to the Sixty-first Annual Conference of the Inter-Parliamentary Union held at Tokyo, Japan, 2nd to 11th October, 1974, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada.

After debate,

The Honourable Senator Flynn, P.C., for the Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 19

Thursday, 7th November, 1974

2.00 o'clock p.m.

The Honourable ALAN A. MACNAUGHTON, P.C., Speaker *pro tem*.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Godfrey,	Macnaughton,	Riel,
Barrow,	Côté,	Graham,	McDonald,	Riley,
Basha,	Cottreau,	Greene,	McGrand,	Robichaud,
Beaubien,	Croll,	Grosart,	McIlraith,	Rowe,
Bélisle,	Davey,	Haig,	McNamara,	Sparrow,
Bonnell,	Denis,	Hicks,	Michaud,	Stanbury,
Boucher,	Desruisseaux,	Lafond,	Molgat,	Thompson,
Bourget,	Everett,	Laird,	Molson,	van Roggen,
Carter,	Flynn,	Lamontagne,	Neiman,	Walker,
Choquette,	Forsey,	Langlois,	O'Leary,	Williams,
Connolly	Fournier	Lefrançois,	Petten,	Yuzyk.
(Ottawa West),	(de Lanaudière),			

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Grosart:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Macnaughton, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator Macnaughton, P.C., took the Chair.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, November 5, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Leblanc (Laurier) has been substituted for that of Mr. Isabelle on the list of Members appointed to serve on the Standing Joint Committee on the Restaurant of Parliament.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator van Roggen from the Standing Senate Committee on Foreign Affairs to which was referred the Bill S-12, intituled: "An Act to amend the Immigration Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Laird moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Forsey from the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments presented its third Report as follows:—

THURSDAY, November 7, 1974.

The Standing Joint Committee on Regulations and other Statutory Instruments has the honour to present its Third Report as follows:

Your Committee reports that the criteria it will use are the following:

Whether any Regulation or other Statutory Instrument within its terms of reference, in the judgement of the Committee:

(1) (a) is not authorized by the terms of the enabling statute, or, if it is made pursuant to the prerogative, its terms are not in conformity with the common law, or

(b) does not clearly state therein the precise authority for the making of the Instrument;

(2) has not complied with the provisions of the *Statutory Instruments Act* with respect to transmittal, recording, numbering or publication;

(3) (a) has not complied with any tabling provision or other condition set forth in the enabling statute; or

(b) does not clearly state therein the time and manner of compliance with any such condition;

(4) makes some unusual or unexpected use of the powers conferred by the enabling statute or by the prerogative;

(5) (a) tends directly or indirectly to exclude the jurisdiction of the Courts without explicit authorization therefor in the enabling statute; or

(b) makes the rights and liberties of the subject dependent on administrative discretion rather than on the judicial process;

(6) purports to have retroactive effect where the enabling statute confers no express authority so to provide or, where such authority is so provided, the retroactive effect appears to be oppressive, harsh or unnecessary;

(7) appears for any reason to infringe the rule of law or the rules of natural justice;

(8) provides without good and sufficient reason that it shall come into force before registration by the Clerk of the Privy Council;

(9) in the absence of express authority to that effect in the enabling statute or prerogative, appears to amount to the exercise of a substantive legislative power properly the subject of direct parliamentary enactment, and not merely to the formulation of subordinate provisions of a technical or administrative character properly the subject of delegated legislation;

(10) without express provision to that effect having been made in the enabling statute or prerogative, imposes a fine, imprisonment or other penalty, or shifts the onus of proof of innocence to the person accused of an offence;

(11) imposes a charge on the public revenues or contains provisions requiring payment to be made to the Crown or to any other authority in consideration of any licence or service to be rendered, or prescribes the amount of any such charge or payment, without express authority to that effect having been provided in the enabling statute or prerogative;

(12) is not in conformity with the *Canadian Bill of Rights*;

(13) is unclear in its meaning or otherwise defective in its drafting;

(14) for any other reason requires elucidation as to its form or purport.

Respectfully submitted,

EUGENE FORSEY,
Joint Chairman.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Molson, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act", reported that it had examined the said Bill and had directed him to report the same to the Senate with one amendment.

The amendment was then read by the Clerk Assistant as follows:—

Page 1: Strike out clause 3 and substitute therefor the following:

"3. This Act shall come into force on the first day of July, 1976."

The Honourable Senator Carter moved, seconded by the Honourable Senator Langlois, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 12th November, 1974, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Molgat calling the attention of the Senate to the Sixty-first Annual Conference of the Inter-Parliamentary Union held at Tokyo, Japan, 2nd to 11th October, 1974, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 20

Tuesday, 12th November, 1974

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Choquette,	Fergusson,	Lang,	O'Leary,
Barrow,	Connolly	Flynn,	Langlois,	Paterson,
Basha,	(Ottawa West),	Forsey,	Lapointe,	Perrault,
Beaubien,	Cook,	Godfrey,	Lefrançois,	Petten,
Bélisle,	Cottreau,	Goldenberg,	Macdonald,	Riel,
Benidickson,	Croll,	Graham,	Macnaughton,	Riley,
Blois,	Davey,	Hayden,	Manning,	Robichaud,
Bonnell,	Denis,	Hicks,	McGrand,	Smith,
Boucher,	Desruisseaux,	Inman,	McNamara,	Sparrow,
Buckwold,	Duggan,	Laird,	Molson,	Stanbury,
Carter,	Everett,	Lamontagne,	Neiman,	Walker.

PRAYERS.

The Honourable the Speaker presented to the Senate—

A Return by the Clerk of the Senate with reference to the Property Qualification of Senators, as follows:—

TUESDAY, November 12, 1974.

Madam,

In accordance with Rule 114 of the Senate, I have the honour to submit herewith a list of the names of Members of the Senate who have renewed their declaration of Property Qualification.

I have the honour to be,
Madam,
Your obedient servant,

ROBERT FORTIER,
Clerk of the Senate.

The Honourable Renaude Lapointe,
Speaker of the Senate.

The Honourable Senators

Aird,	Fournier
Argue,	(<i>Restigouche-</i>
Asselin,	<i>Gloucester</i>),
Barrow,	Fournier
Basha,	(<i>de Lanaudière</i>),
Beaubien,	Gélinas,
Bélisle,	Giguère,
Benidickson,	Godfrey,
Blois,	Goldenberg,
Bonnell,	Gouin,
Boucher,	Graham,
Bourget,	Greene,
Buckwold,	Grosart,
Burchill,	Haig,
Cameron,	Hastings,
Carter,	Hayden,
Choquette,	Hays,
Connolly	Heath,
(<i>Halifax North</i>),	Hicks,
Connolly	Inman,
(<i>Ottawa West</i>),	Kickham,
Cook,	Lafond,
Côté,	Laing,
Cottreau,	Laird,
Croll,	Lamontagne,
Davey,	Lang,
Denis,	Langlois,
Deschatelets,	Lapointe,
Desruisseaux,	Lawson,
Duggan,	Lefrançois,
Everett,	Macdonald,
Fergusson,	Macnaughton,
Flynn,	Manning,
Forsey,	Martin,
Fournier	McDonald,
(<i>Madawaska-</i>	McElman,
<i>Restigouche</i>),	McGrand,

McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,
O'Leary,
Paterson,
Perrault,
Petten,
Phillips,
Prowse,
Quart,

Riel,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
Stanbury,
Sullivan,
Thompson,
van Roggen,
Walker,
Welch,
Williams,
Yuzyk.

Ordered, That the Return do lie on the Table.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Clerk of the Senate be authorized to receive the renewed Declarations of Property Qualification from those Members of the Senate who have not had the opportunity to make and file the same in accordance with Rule 114 and to make a Supplementary Return accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-22, intituled: "An Act to amend the Canada Pension Plan", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-4, intituled: "An Act to amend the War Veterans Allowance Act and the Civilian War Pensions and Allowances Act" to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 14th November, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-27, intituled: "An Act to amend the Customs Tariff", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 14th November, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, November 8, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the following Members have been appointed to act on behalf of the House of Commons on the Special Joint Committee on Employer-Employee Relations in the Public Service, namely: Messrs. Alexander, Baker (Grenville-Carleton), Blais, Clermont, Daudlin, Dinsdale, Dionne (Kamouraska), Fairweather, Forrestall, Francis, Gauthier (Ottawa-Vanier), Herbert, Knowles (Winnipeg North Centre) and O'Connell.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of a report on the technical feasibility and cost of transporting Arctic oil and gas by railway, prepared for the Department of Transport and dated October 1974.

Copies of a commentary on the British Columbia route for the rail transport southward of crude oil and natural gas, issued by the Department of Transport and dated October 25, 1974.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 14th November, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-16, intituled: "An Act to revise references to the Court of Queen's Bench of the Province of Quebec".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 14th November, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-17, intituled: "An Act to amend the Explosives Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 14th November, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Stanbury moved, seconded by the Honourable Senator Riel, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold:

That the Standing Senate Committee on Agriculture have power to sit while the Senate is sitting tomorrow, Wednesday, 13th November, 1974, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the name of the Honourable Senator Asselin be substituted for that of the Honourable Senator Flynn on the list of Senators serving on the Standing Joint Committee on Regulations and other Statutory Instruments; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the following Senators be appointed to act on behalf of the Senate on the Special Joint Committee of the Senate and House of Commons on Employer-Employee Relations in the Public Service, namely, the Honourable Senators Asselin, Buckwold, Goldenberg, Macdonald, Neiman, Riel and Thompson; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Laird moved, seconded by the Honourable Senator Carter, that the Bill S-12, intituled: "An Act to amend the Immigration Act", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate

Committee on Health, Welfare and Science on the Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act".

The Honourable Senator Carter moved, seconded by the Honourable Senator Fergusson, P.C., that the Report be adopted now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Bonnell moved, seconded by the Honourable Senator McNamara, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the third Report of the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Molgat calling the attention of the Senate to the Sixty-first Annual Conference of the Inter-Parliamentary Union held at Tokyo, Japan, 2nd to 11th October, 1974, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Fergusson, P.C., that the Bill C-22, intituled: "An Act to amend the Canada Pension Plan", be read the second time.

After debate,

The Honourable Senator Bélisle for the Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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No. 21

Wednesday, 13th November, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Flynn,	Lamontagne,	Norrie,
Asselin,	Connolly	Forsey,	Lang,	O'Leary,
Barrow,	(Ottawa West),	Fournier	Langlois,	Paterson,
Basha,	Cook,	(de Lanaudière),	Lapointe,	Perrault,
Beaubien,	Côté,	Godfrey,	Lefrançois,	Petten,
Bélisle,	Cottreau,	Goldenberg,	Macdonald,	Prowse,
Benidickson,	Croll,	Graham,	Macnaughton,	Riel,
Blois,	Davey,	Greene,	Manning,	Riley,
Bonnell,	Denis,	Hayden,	McGrand,	Robichaud,
Boucher,	Desruisseaux,	Hicks,	McNamara,	Smith,
Buckwold,	Everett,	Inman,	Molgat,	Sparrow,
Carter,	Fergusson,	Laird,	Molson,	Stanbury,
			Neiman,	Walker.

PRAYERS.

Pursuant to the Order of the Day, the Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Stanbury moved, seconded by the Honourable Senator Prowse, that the Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Bonnell moved, seconded by the Honourable Senator Forsey, that the Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Fergusson, P.C., for the second reading of the Bill C-22, intituled: "An Act to amend the Canada Pension Plan",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the third Report of the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

- (a) its evaluation,
- (b) its beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 22

Thursday, 14th November, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Carter,	Duggan,	Laird,	Neiman,
Asselin,	Choquette,	Fergusson,	Lamontagne,	Norrie,
Barrow,	Connolly	Flynn,	Lang,	Perrault,
Basha,	(Ottawa West),	Forsey,	Lapointe,	Petten,
Beaubien,	Cook,	Fournier	Lefrançois,	Prowse,
Bélisle,	Côté,	(de Lanaudière),	Macdonald,	Quart,
Benidickson,	Cottreau,	Godfrey,	Manning,	Riley,
Blois,	Croll,	Goldenberg,	McGrand,	Robichaud,
Bonnell,	Davey,	Greene,	McNamara,	Smith,
Boucher,	Denis,	Hicks,	Molgat,	Sparrow,
Buckwold,	Desruisseaux,	Inman,	Molson,	Stanbury.

PRAYERS.

Statement by the Honourable the Speaker.

Re: The Budget Speech—Accommodation for Senators in the Senate Gallery of the House of Commons.

"Honourable Senators, as previously announced, the Minister of Finance will deliver his Budget Speech in the other place on Monday, November 18th, at eight o'clock in the evening.

May I be permitted to remind the Honourable Senators that none but Senators will be admitted to the Senate Gallery of the House of Commons on that occasion. This step is being taken for the purpose of providing accommodation in the Gallery for as many Senators as possible. In this manner, Senators will not be excluded from the Gallery on account of many of the places being occupied by relatives and friends of Senators.

May I add that such instructions were first issued in 1931 by the then Speaker of the Senate, the Honourable P. E. Blondin, and that this practice has been followed ever since by succeeding Speakers".

RENAUDE LAPOINTE,
Speaker of the Senate.

The Honourable Senator Neiman for the Honourable Senator Buckwold from the Special Joint Committee of the Senate and House of Commons on Employer-Employee Relations in the Public Service presented its first Report as follows:—

WEDNESDAY, November 13, 1974.

The Special Joint Committee of the Senate and House of Commons on Employer-Employee Relations in the Public Service presents its first Report, as follows:

Your Committee recommends that its quorum be fixed at eleven (11) members, provided that both Houses are represented, whenever a vote, resolution or other decision is taken, and that the Joint Chairmen be authorized to hold meetings and receive evidence so long as five (5) members are present, provided that both Houses are represented; and

That the Committee have power to engage the services of such expert staff, and such stenographic and clerical staff as may be required during the present session.

Respectfully submitted.

SIDNEY L. BUCKWOLD,
Joint Chairman.

The Honourable Senator Buckwold moved, seconded by the Honourable Senator Norrie, that the Report be adopted now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture to which was referred the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 19th November, 1974, at two o'clock in the afternoon.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the name of the Honourable Senator Choquette be substituted for that of the Honourable Senator Bélisle on the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the name of the Honourable Senator Beaubien be substituted for that of the Honourable Senator Asselin on the list of Senators serving on the Standing Senate Committee on Standing Rules and Orders.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the names of the Honourable Senators Sullivan and Walker be substituted for those of the Honourable Senators Grosart and Yuzyk on the list of Senators serving on the Standing Joint Committee on the Library of Parliament; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the names of the Honourable Senators Choquette, Haig and Walker be substituted for those of the Honourable Senators Asselin, O'Leary and Sullivan on the list of Senators serving on the Standing Joint Committee on Printing of Parliament; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the name of the Honourable Senator Bélisle be substituted for that of the Honourable Senator Macdonald on the list of Senators serving on the Special Joint Committee of the Senate and House of Commons on Employer-Employee Relations in the Public Service; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Lang moved, seconded by the Honourable Senator Cook, that the Bill C-4, intituled: "An Act to amend the War Veterans Allowance Act and the Civilian War Pensions and Allowances Act", be read the second time.

After debate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill C-27, intituled: "An Act to amend the Customs Tariff", be read the second time.

After debate,

The Honourable Senator Bélisle moved, seconded by the Honourable Senator Quart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-16, intituled: "An Act to revise references to the Court of Queen's Bench of the Province of Quebec",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Barrow moved, seconded by the Honourable Senator Godfrey, that the Bill S-17, intituled: "An Act to amend the Explosives Act", be read the second time.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Fergusson, P.C., for the second reading of the Bill C-22, intituled: "An Act to amend the Canada Pension Plan",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the third Report of the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments.

The Honourable Senator Forsey moved, seconded by the Honourable Senator McNamara, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That the revised French version of the third Report of the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments be printed as an Appendix to the French Debates of the Senate and to the French Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Croll being called,

It was—

Ordered, That it be postponed until Tuesday, 26th November, 1974.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 23

Tuesday, 19th November, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Fournier	Langlois,	O'Leary,
Asselin,	Cook,	(<i>Restigouche-</i>	Lapointe,	Paterson,
Barrow,	Côté,	<i>Gloucester</i>),	Lefrançois,	Perrault,
Basha,	Cottreau,	Gélinas,	Macdonald,	Petten,
Beaubien,	Croll,	Godfrey,	Macnaughton,	Prowse,
Bélisle,	Denis,	Goldenberg,	Manning,	Quart,
Benidickson,	Desruisseaux,	Graham,	McElman,	Riel,
Blois,	Duggan,	Greene,	McGrand,	Riley,
Bonnell,	Everett,	Grosart,	McIlraith,	Rowe,
Boucher,	Fergusson,	Haig,	McNamara,	Smith,
Bourget,	Flynn,	Hayden,	Molgat,	Sparrow,
Buckwold,	Forsey,	Inman,	Molson,	van Roggen,
Cameron,	Fournier	Laird,	Neiman,	Walker,
Carter,	(<i>de Lanaudière</i>),	Lamontagne,	Norrie,	Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill S-7, intituled: "An Act to authorize federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, November 13, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Munro (Esquimalt-Saanich) has been substituted for that of Mr. Alexander on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Clerk of the Senate laid on the Table the second Report of the Examiner of Petitions for Private Bills, as follows:—

NOVEMBER 19, 1974.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his second report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of International Air Transport Association, of the City of Montreal, in the Province of Quebec; praying for the passing of an Act amending its Act of incorporation to empower the Association to admit to its membership air transport enterprises operating international air services other than scheduled air services.

Respectfully submitted.

PIERRE GODBOUT,
Examiner of Petitions for Private Bills.

The Honourable Senator Macnaughton, P.C., presented to the Senate a Bill S-18, intituled: "An Act respecting International Air Transport Association".

The Bill was read the first time.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Greene, P.C., that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 26th November, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Superintendent of Insurance for Canada, Volume II, Annual Statements of Fire and Casualty Insurance Companies, for the year ended December 31, 1973, pursuant to section 8 of the *Department of Insurance Act*, Chapter I-17, R.S.C., 1970.

Copy of Statement by the Secretary of State for External Affairs at the World Food Conference held in Rome, November 1974.

Statement showing Classification of Loans in Canadian Currency of the Chartered Banks of Canada as at September 30, 1974, pursuant to section 119(1) of the *Bank Act*, Chapter B-1, R.S.C., 1970.

Budget Papers, being Notices of Ways and Means Motions to (1) amend the *Income Tax Act*, (2) amend the *Income Tax Application Rules*, 1971, (3) amend Chapter 17 of the *Statutes of Canada*, 1960-61, (4) amend the *Excise Tax Act* and the *Excise Act* and (5) amend the *Customs Tariff*, together with supplementary tables relating thereto.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the name of the Honourable Senator Barrow be substituted for that of the Honourable Senator Smith on the list of Senators serving on the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act", be read the third time.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Cook, for the second reading of the Bill C-4, intituled: "An Act to amend the War Veterans Allowance Act and the Civilian War Pensions and Allowances Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Carter, that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Benidickson, P.C., seconded by the Honourable Senator Lamontagne, P.C., for the second reading of the Bill C-27, intituled: "An Act to amend the Customs Tariff".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Croll, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Barrow, seconded by the Honourable Senator Godfrey, for the second reading of the Bill S-17, intituled: "An Act to amend the Explosives Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Barrow moved, seconded by the Honourable Senator Riley, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to

reassemble at the call of the bell at eight o'clock p.m., it was—

Resolved in the affirmative. 3.20 p.m.

The sitting of the Senate was resumed. 8.00 p.m.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill C-4, intituled: "An Act to amend the War Veterans Allowance Act and the Civilian War Pensions and Allowances Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate reverted to Orders of the Day.

Pursuant to the Order of the Day, the Honourable Senator Everett moved, seconded by the Honourable Senator Barrow, that the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act", be read the second time.

After debate,

The Honourable Senator Beaubien moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill S-16, intituled: "An Act to revise references to the Court of Queen's Bench of the Province of Quebec", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Fergusson, P.C., for the second reading of the Bill C-22, intituled: "An Act to amend the Canada Pension Plan".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Carter moved, seconded by the Honourable Senator Fergusson, P.C., that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

- (a) its evaluation,
- (b) its beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

On motion of the Honourable Senator Smith, it was—

Ordered, That an Order of the Senate do issue for a Return for:—

Copies of all contracts for Warden services respecting Migratory Bird Sanctuaries in the Maritime provinces entered into between any government department and any person or persons on behalf of the Canadian Wildlife Service during the period between 1970 and 1974 inclusive.

The Honourable Senator Perrault, P.C., laid the Return on the Table forthwith.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 24

Wednesday, 20th November, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,

Choquette,
Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Everett,
Fergusson,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),

Fournier
(*Restigouche-
Gloucester*),
Gélinas,
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hayden,
Inman,
Laird,
Lamontagne,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McElman,
McGrand,
McIlraith,
McNamara,
Molgat,
Molson,
Neiman,
Norrie,

O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Riel,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
Stanbury,
Walker,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill S-4, intituled: "An Act to amend the Customs Act",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-17, intituled: "An Act to amend the Army Benevolent Fund Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 26th November, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of the Secretary of State of Canada for the fiscal year ended March 31, 1973, pursuant to section 6 of the *Department of State Act*, Chapter S-15, R.S.C., 1970.

Report to the Minister of Veterans Affairs of a Study on Canadians who were prisoners of war in Europe during World War II.

Report of Information Canada for the fiscal year ended March 31, 1974.

Copy of an announcement on initial price increases relating to basic grades of wheat, barley and oats, made by the Minister responsible for The Canadian Wheat Board on November 18, 1974.

Copy of Agreement in Principle with respect to certain territories in the Province of Quebec and to the James Bay project, executed at Montreal, November 15, 1974, together with copies of documents relating thereto.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-17, intituled: "An Act to amend the Explosives Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Barrow moved, seconded by the Honourable Senator Lefrançois, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-27, intituled: "An Act to amend the Customs Tariff", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That the name of the Honourable Senator Everett be added to the list of Senators serving on the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-4, intituled: "An Act to amend the War Veterans Allowance Act and the Civilian War Pensions and Allowances Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Everett, seconded by the Honourable Senator Barrow, for the second reading of the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act".

After debate,

The Honourable Senator Flynn, P.C., for the Honourable Senator Grosart moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for

the second reading of the Bill S-16, intituled: "An Act to revise references to the Court of Queen's Bench of the Province of Quebec",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Ordered, That an inquiry standing in the name of the Honourable Senator Croll for Tuesday, 26th November, 1974, be brought forward.

The Honourable Senator Croll called the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Quart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Croll,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 25

Thursday, 21st November, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Fournier	Lapointe,	Petten,
Asselin,	Cook,	(Restigouche-	Lefrançois,	Prowse,
Barrow,	Cottreau,	Gloucester),	Macdonald,	Quart,
Basha,	Croll,	Gélinas,	McElman,	Riel,
Beaubien,	Davey,	Godfrey,	McGrand,	Riley,
Bélisle,	Denis,	Goldenberg,	McIlraith,	Robichaud,
Benidickson,	Desruisseaux,	Greene,	McNamara,	Rowe,
Bonnell,	Duggan,	Grosart,	Molson,	Smith,
Boucher,	Everett,	Haig,	Neiman,	Sparrow,
Bourget,	Fergusson,	Inman,	Norrie,	Stanbury,
Buckwold,	Flynn,	Laird,	O'Leary,	Walker,
Cameron,	Forsey,	Lamontagne,	Paterson,	Yuzyk.
Carter,	Fournier	Langlois,	Perrault,	
	(de Lanaudière),			

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of a Note from the Government of Canada to the Government of the United States, dated November 19, 1974, concerning the Presidential Proclamation imposing a temporary quantitative limitation on imports into the United States of certain cattle, beef, swine and pork from Canada.

Revised Capital Budget of Atomic Energy of Canada Limited for the fiscal year ending March 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1974-2455, dated November 8, 1974, approving same.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 26th November, 1974, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report to Parliament on the implementation of the Official Languages Resolution adopted by Parliament in June 1973, dated November 21, 1974.

Pursuant to the Order of the Day, the Honourable Senator Barrow moved, seconded by the Honourable Senator Riley, that the Bill S-17, intituled: "An Act to amend the Explosives Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill C-27, intituled: "An Act to amend the Customs Tariff", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Everett, seconded by the Honourable Senator Barrow, for the second reading of the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill S-16, intituled: "An Act to revise references to the Court of Queen's Bench of the Province of Quebec".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cameron moved, seconded by the Honourable Senator Boucher, that the Bill S-14, intituled: "An Act to amend the Criminal Code (control of weapons and firearms)", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Cameron moved, seconded by the Honourable Senator Boucher, that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work

ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator Inman:

That a Special Committee of the Senate, to be known as the Special Committee of the Senate on Science Policy, be appointed to organize and hold a Conference for the purpose of determining the feasibility of establishing a Commission on the Future, whose responsibility would be to help as many private and public organizations as possible to forecast and build their future not only in isolation but together, as was recommended in Chapter 13 of Volume 2 of the Report of the Special Committee of the Senate on Science Policy;

That the Committee have power to engage the services of such counsel, staff and technical advisers and to incur such other special expenses as may be necessary for the purpose of organizing and holding the said Conference; and

That the Committee be composed of the Honourable Senators Asselin, Bélisle, Blois, Bonnell, Bourget, Buckwold, Cameron, Carter, Giguère, Godfrey, Goldenberg, Grosart, Haig, Hastings, Heath, Hicks, Lamontagne, Lang, Manning, Neiman, Phillips, Riel, Robichaud, Rowe, Stanbury, Thompson, van Roggen and Yuzyk.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

A motion standing in the name of the Honourable Senator Connolly, P.C., being called,

It was—

Ordered, That it be postponed until Tuesday, 10th December, 1974.

The Honourable Senator Everett for the Honourable Senator Hayden moved, seconded by the Honourable Senator Inman:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and consider any bill based on the Budget Resolutions relating to income tax in advance of any such bill coming before the Senate, or any matter relating thereto; and

That the Committee have power to engage the services of such counsel, staff and technical advisers as may be necessary for the purpose of the said examination.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart:

That the name of the Honourable Senator Sullivan be substituted for that of the Honourable Senator Phillips on the list of Senators serving on the Special Committee of the Senate on Science Policy.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 26

Tuesday, 26th November, 1974

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,

Choquette,
Cook,
Cottreau,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Fergusson,
Flynn,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),

Gélinas,
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Heath,
Hicks,
Inman,
Lafond,
Laird,
Langlois,
Lapointe,

Lawson,
Lefrançois,
Macnaughton,
Manning,
McDonald,
McGrand,
McIlraith,
McNamara,
Molgat,
Neiman,
Norrie,
O'Leary,
Paterson,

Perrault,
Petten,
Quart,
Riel,
Riley,
Robichaud,
Smith,
Sparrow,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Superintendent of Insurance for Canada on Trust and Loan Companies for the year ended December 31, 1973, pursuant to section 8 of the *Department of Insurance Act*, Chapter I-17, R.S.C., 1970.

Supplementary Estimates (B) for the fiscal year ending March 31, 1975.

Report of the Department of the Secretary of State of Canada for the fiscal year ended March 31, 1974, pursuant to section 6 of the *Department of State Act*, Chapter S-15, R.S.C., 1970.

Report of the Canada Post Office for the fiscal year ended March 31, 1974, pursuant to section 80(2) of the *Post Office Act*, Chapter P-14, R.S.C., 1970.

Copy of the text of a Resolution adopted by the Parliament of Israel (the Knesset) on October 28, 1974, concerning certain Arab organizations (English text).

Copies of an amendment to By-law No. 1 of the Export Development Corporation, pursuant to section 16(3) of the *Export Development Act*, Chapter E-18, R.S.C., 1970.

Report of the National Energy Board in the matter of the Exportation of Oil, dated October 1974.

Copies of Environment Canada Comments relating to of Canada and the Premiers of the Provinces of Alberta and Saskatchewan concerning resource policy.

Copies of Environment Canada Comment relating to documents comprising the Syncrude Environmental Impact Assessment, dated August 19, 1974 (English text).

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday, 5th December, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill C-22, intituled: "An Act to amend the Canada Pension Plan", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (B) laid before Parliament for the fiscal year ending the 31st March, 1975.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that the Bill S-16, intituled: "An Act to revise references to the Court of Queen's Bench of the Province of Quebec", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill S-18, intituled: "An Act respecting International Air Transport Association", be read the second time.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill be referred to the Standing Senate Committee on Transport and Communications.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Denis, P.C., that the Bill C-17, in-

intituled: "An Act to amend the Army Benevolent Fund Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Denis, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Everett, seconded by the Honourable Senator Barrow, for the second reading of the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 27

Wednesday, 27th November, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Carter,
Choquette,

Cook,
Cottreau,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Fergusson,
Flynn,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),
Gélinas,

Godfrey,
Goldenberg,
Graham,
Greene,
Haig,
Heath,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,

Lawson,
Lefrançois,
Macnaughton,
Manning,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,

O'Leary,
Petten,
Quart,
Riel,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
van Roggen,
Walker,
Williams,
Yuzk.

PRAYERS.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

November 27, 1974

Madam,

I have the honour to inform you that the Honourable Wishart F. Spence, O.B.E., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Administrator of the Government of Canada, will proceed to the Senate Chamber to-day, November 27th, at 5.45 p.m. for the purpose of giving Royal Assent to certain Bills.

I have the honour to be,
Madam,
Your obedient servant,

ANDRÉ GARNEAU
Brigadier General

Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable Senator Langlois laid on the Table the following:—

Report of Statistics Canada for the fiscal year ended March 31, 1973, pursuant to section 4(3) of the *Statistics Act*, Chapter 15, Statutes of Canada, 1970-71-72.

Report on a possible steel complex in eastern Canada prepared for the Department of Regional Economic Expansion by the Stelco Technical Services Group, entitled "Canstel Preliminary Study".

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Bill C-22, intituled: "An Act to amend the Canada Pension Plan", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Greene, P.C., that the Bill C-17, intituled: "An Act to amend the Army Benevolent Fund Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

- (a) its evaluation,
- (b) its beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator van Roggen called the attention of the Senate to the visit of Canadian Parliamentarians to the European Parliament from 12th to 14th November, 1974.

After debate,

The Honourable Senator Choquette for the Honourable Senator Grosart moved, seconded by the Honourable Senator Deschatelets, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative.

3.15 p.m.

The sitting of the Senate was resumed. 6.10 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Administrator of the Government of Canada, it was—

Resolved in the affirmative.

After awhile, the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Administrator of the Government of Canada, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

“It is the desire of the Honourable the Deputy of His Excellency the Administrator of the Government of Canada that they attend him immediately in the Senate Chamber”

The House of Commons being come,

The Honourable the Speaker said—

Honourable Members of the Senate:

Members of the House of Commons:

I have the honour to inform you that His Excellency the Administrator of the Government of Canada has been pleased to cause Letters Patent to be issued under His Sign Manual and Signet constituting the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, his Deputy, to do in His Excellency's name all acts on his part necessary to be done during His Excellency's pleasure.

The said Commission was then read by the Clerk Assistant, as follows:—

CANADA

BORA LASKIN
Administrator
(L.S.)

BY HIS EXCELLENCY THE RIGHT HONOURABLE BORA LASKIN, Chief Justice of Canada, Administrator of the Government of Canada.

TO the Honourable WISHART F. SPENCE, a Puisne Judge of the Supreme Court of Canada,

GREETING:

KNOW YOU that being well assured of your loyalty, fidelity and capacity, I, the Right Honourable Bora Laskin,

Administrator of the Government of Canada, under and by virtue of and in pursuance of the power and authority vested in me by the Letters Patent of His Late Majesty King George VI constituting the office of Governor General of Canada, do hereby nominate, constitute and appoint you the said Wishart F. Spence to be my Deputy within Canada and in that capacity to exercise, subject to any limitations or directions from time to time expressed or given by Her Majesty, all the powers, authorities and functions vested in and of right exercisable by me as Administrator of the Government of Canada, saving and excepting the power of dissolving the Parliament of Canada.

TO HAVE, hold, exercise and enjoy the said office of Deputy of me, the Administrator of the Government of Canada as aforesaid, together with all and every the powers, authorities and functions to the said office belonging unto you, the said Wishart F. Spence for and during my pleasure.

PROVIDED ALWAYS that the appointment of my said Deputy shall not affect the exercise of any such power, authority or function by me, the said the Right Honourable Bora Laskin, in person.

AND PROVIDED ALWAYS, that you the said Wishart F. Spence shall, during your continuance in the said office, obey all such orders and instructions as you shall from time to time receive from me.

GIVEN under my hand and Seal of Office at Ottawa, this second day of July in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-third year of Her Majesty's Reign.

BY COMMAND,

P. M. PITFIELD,
Deputy Registrar General of Canada

Ordered, That the said Commission be placed upon the Journals.

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to amend the Army Benevolent Fund Act

An Act to amend the Canada Pension Plan

An Act to amend the Customs Act

An Act to amend the Customs Tariff

An Act to authorize federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes

An Act to amend the War Veterans Allowance Act and the Civilian War Pensions and Allowances Act.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

“In Her Majesty's name the Honourable the Deputy of His Excellency the Administrator of the Government of Canada doth assent to these Bills.”

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Administrator of the Government of Canada was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Smith,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1974
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Journals of the Senate

No. 28

Thursday, 28th November, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Boucher,
Bourget,
Carter,
Choquette,

Cook,
Cottreau,
Denis,
Deschatelets,
Desruisseaux,
Fergusson,
Flynn,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),
Gélinas,

Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Heath,
Hicks,
Inman,
Lafond,
Laird,
Langlois,
Lapointe,

Lawson,
Lefrançois,
Manning,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,

O'Leary,
Perrault,
Petten,
Quart,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
van Roggen,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, November 26, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Alexander has been substituted for that of Mr. Baker (Grenville-Carleton) on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 3rd December, 1974, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate.

The Honourable Senator O'Leary resumed the debate on the inquiry of the Honourable Senator van Roggen calling the attention of the Senate to the visit of Canadian Parliamentarians to the European Parliament from 12th to 14th November, 1974.

After debate,
The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate

on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate Committee report, and in particular to

- (a) its evaluation,
- (b) its beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate.

After debate,
The Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Inman, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 29

Tuesday, 3rd December, 1974

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,

Choquette,
Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Everett,
Fergusson,
Flynn,

Forsey,
Fournier
(*Restigouche-
Gloucester*),
Gélinas,
Giguère,
Godfrey,
Graham,
Grosart,
Hayden,
Hicks,
Inman,
Lafond,

Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,
Lefrançois,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,

Molson,
Neiman,
Norrie,
O'Leary,
Paterson,
Perrault,
Riel,
Robichaud,
Rowe,
Smith,
Sparrow,
Walker,
Williams,
Yuzk.

PRAYERS.

Tribute was paid to the memory of the Honourable Senator Kickham whose death occurred December 1, 1974.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, December 2, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. McCleave has been substituted for that of Mr. Alexander on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-15, intituled: "An Act respecting oil and gas in Indian lands", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,
The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-18, intituled: "An Act to amend the Fire Losses Replacement Account Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,
The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-214, intituled: "An Act to amend the Electoral Boundaries Readjustment Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 5th December, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk to return the Bill S-11, intituled: "An Act respecting British Columbia Telephone Company",

And to acquaint the Senate that the Commons have passed this Bill with one amendment to which they desire the concurrence of the Senate.

The amendment was then read by the Clerk Assistant as follows:—

Page 8. Immediately after line 9 the following new clause be added:

"6. The following is added as section 25 of chapter 66 of the Statute of 1916, as amended, namely;

'25. The Company may use as the French form of its name, in the transaction of business and its affairs generally, "La Compagnie de Téléphone de la Colombie-Britannique".'

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the amendment be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk to return the Bill S-13, intituled: "An Act respecting the Boundary between the Provinces of Alberta and British Columbia",

And to acquaint the Senate that the Commons have passed this Bill with one amendment to which they desire the concurrence of the Senate.

The amendment was then read by the Clerk Assistant as follows:—

Page 4: Strike out line 8 and substitute the following therefor:

"to the Commission under section 5, and to offer to hold at least one public hearing on the reference before establishing any boundary line for that part of the boundary that the problem or dispute is related to;"

The Honourable Senator Carter moved, seconded by the Honourable Senator Buckwold, that the amendment be concurred in now.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of a Report of the Bay of Fundy Tidal Power Review Board on the feasibility of Tidal Power Development in the Bay of Fundy, dated September 1974.

Report of the Minister of Finance respecting Olympic coins for the six months ended September 30, 1974, pursuant to sections 13(1) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

Report of operations under the *Fisheries Improvement Loans Act* for the fiscal year ended March 31, 1974, pursuant to section 12(2) of the said Act, Chapter F-22, R.S.C., 1970.

Report on the administration of the *Small Businesses Loans Act* for the year ended December 31, 1973, pursuant to section 11 of the said Act, Chapter S-10, R.S.C., 1970.

Report of operations under the *Farm Improvement Loans Act* for the year ended December 31, 1973, pursuant to section 13 of the said Act, Chapter F-3, R.S.C., 1970.

Report of the Textile and Clothing Board, dated February 5, 1974, relative to an inquiry respecting woven fabrics of nylon or filament rayon, pursuant to section 9 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72.

Report of the Textile and Clothing Board, dated May 1, 1974, to the Minister of Industry, Trade and Commerce, pursuant to section 19 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting broad woven polyester filament fabrics.

Report of the Textile and Clothing Board, dated June 5, 1974, to the Minister of Industry, Trade and Commerce, pursuant to section 19 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting double-knit and warp-knit fabrics.

Report of the Auditor General to the House of Commons for the fiscal year ended March 31, 1974, pursuant to section 61(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of Order in Council P.C. 1974-2551, dated November 26, 1974, amending Part I of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Copies of Federal-Provincial Communiqué on Community Employment Strategy, dated at Vancouver, B.C., November 29, 1974.

Copies of Report of the Correctional Investigator 1973-74, issued by the Solicitor General of Canada.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-20, intituled: "An Act to amend the Territorial Lands Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 5th December, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Forsey from the Standing Joint Committee on Regulations and other Statutory Instruments presented its Fourth Report as follows:—

TUESDAY, December 3, 1974.

The Standing Joint Committee on Regulations and other Statutory Instruments has the honour to present its Fourth Report as follows:

Your Committee recommends that the French language version of the Third Report of the Standing Joint Committee on Regulations and other Statutory Instruments presented to the Senate on November 7, 1974, be replaced by the following:

«Le JEUDI 7 novembre 1974.

Le Comité mixte permanent du Sénat et de la Chambre des communes sur les règlements et autres textes réglementaires, présente son troisième rapport, comme suit:

Le Comité déclare qu'il utilisera les critères suivants:

Si un règlement ou autre texte réglementaire relevant de sa compétence, de l'avis du Comité:

1. a) n'est pas autorisé par les dispositions de la loi habilitante, ou si, étant établi en vertu de la prérogative, ses termes ne sont pas conformes au droit coutumier; ou
b) n'indique pas clairement en vertu de quelle autorisation précise le texte est établi;
2. ne s'est pas conformé aux dispositions de la Loi sur les textes réglementaires, soit sur le plan de la transmission, de l'enregistrement, de la numérotation ou de la publication;
3. a) ne s'est pas conformé à toute disposition concernant le dépôt du texte, ou toute autre condition prescrite dans la loi habilitante; ou
b) n'indique pas clairement la date et la manière dont il s'est conformé à l'une quelconque des conditions;

4. utilise de manière inhabituelle ou inattendue les pouvoirs que lui confère la loi habilitante ou la prérogative;
5. a) tend directement ou indirectement à exclure la juridiction des tribunaux sans autorisation expresse à cet effet dans la loi habilitante; ou
b) assujettit les droits et les libertés du sujet au pouvoir discrétionnaire de l'administration plutôt qu'au processus judiciaire;
6. implique un effet rétroactif sans que la loi habilitante ne lui en confère l'autorisation expresse ou, lorsque cette autorisation est accordée, se donne un effet rétroactif apparemment oppressif, rigoureux ou inutile;
7. paraît pour une raison quelconque enfreindre le principe de la légalité ou les règles de justice naturelle;
8. stipule sans raison bonne et suffisante qu'il entre en vigueur avant d'être enregistré par le greffier du Conseil privé;
9. en l'absence d'autorisation formelle à cet effet dans la loi habilitante ou la prérogative, semble équivaloir à l'exercice d'un pouvoir législatif de fond devant faire l'objet d'un décret parlementaire, et non pas seulement à la formulation de dispositions subordonnées d'une nature technique ou administrative devant être l'objet de législation déléguée;
10. sans qu'une disposition formelle à cet effet fasse partie de la loi habilitante ou de la prérogative, impose une amende, emprisonnement ou une autre peine, ou impose à la personne accusée d'une infraction le fardeau de prouver son innocence;
11. impose des frais au Trésor public ou comprend des dispositions exigeant d'effectuer un paiement à la Couronne ou à toute autre autorité en retour de la délivrance d'un permis ou d'un service, ou prescrit le montant de l'un quelconque de ces frais ou paiements, sans que la loi habilitante ou la prérogative stipule une autorisation formelle à cet effet;
12. n'est pas conforme à la Déclaration canadienne des droits;
13. est d'une signification obscure ou est autrement défectueux dans sa rédaction;
14. pour toute autre raison, nécessite des éclaircissements quant à sa forme ou sa teneur.

Respectueusement soumis,

Le coprésident,
EUGENE FORSEY.

Respectfully submitted,

EUGENE FORSEY,
Joint Chairman.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Lafond, that the Report be taken into consideration at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That for the duration of the present Session of Parliament, should an emergency arise during any adjournment of the Senate, which would in the opinion of the Honourable the Speaker warrant that the Senate meet prior to the time set forth in the motion for such adjournment, the Honourable the Speaker be authorized to notify Honourable Senators at their addresses registered with the Clerk of the Senate, to meet at a time earlier than that set out for such adjournment, and non-receipt by any one or more Honourable Senators of such call shall not have any effect upon the sufficiency and validity thereof.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator van Roggen calling the attention of the Senate to the visit of Canadian Parliamentarians to the European Parliament from 12th to 14th November, 1974.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

- (a) its evaluation,
- (b) the beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1974
Canada

Journals of the Senate

No. 30

Wednesday, 4th December, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,

Choquette,
Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Duggan,
Everett,
Fergusson,
Flynn,
Forsey,

Gélinas,
Giguère,
Godfrey,
Graham,
Grosart,
Hayden,
Heath,
Inman,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,

Lapointe,
Lefrançois,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,
Norrie,
O'Leary,

Paterson,
Perrault,
Quart,
Riel,
Robichaud,
Rowe,
Smith,
Sparrow,
Sullivan,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

Tribute was paid to the Honourable John B. Aird who resigned from the Senate November 28, 1974.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting today, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Carter resumed the debate on the motion of the Honourable Carter, seconded by the Honourable Senator Buckwold, for concurrence in the amendment made by the House of Commons to the Bill S-13, intituled: "An Act respecting the Boundary between the Provinces of Alberta and British Columbia".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have agreed to the amendment made by the Commons to this Bill, without amendment.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Langlois, that the Bill C-15, intituled: "An Act respecting oil and gas in Indian lands", be read the second time.

After debate,

The Honourable Senator Choquette moved, seconded by the Honourable Senator Deschatelets, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Fergusson, P.C., that the Bill C-18, intituled: "An Act to amend the Fire Losses Replacement Account Act", be read the second time.

After debate,

The Honourable Senator Bélisle moved, seconded by the Honourable Senator O'Leary, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the amendment made by the House of Commons to the Bill S-11, intituled: "An Act respecting British Columbia Telephone Company".

The Honourable Senator Heath moved, seconded by the Honourable Senator Forsey, that the amendment be concurred in.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have agreed to the amendment made by the Commons to this Bill, without amendment.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Fourth Report of the Standing Joint Committee on Regulations and other Statutory Instruments.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Bélisle, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) the beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon.

After debate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Smith, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator McDonald called the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany.

After debate,

The Honourable Senator Flynn, P.C., for the Honourable Senator Yuzyk moved, seconded by the Honourable

Senator Lafond, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 31

Thursday, 5th December, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Cameron,

Carter,
Choquette,
Cook,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Duggan,
Everett,
Fergusson,
Flynn,
Forsey,

Fournier
(*Restigouche-
Gloucester*),
Giguère,
Godfrey,
Greene,
Hayden,
Heath,
Hicks,
Inman,
Lafond,
Laird,
Lang,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,

Norrie,
O'Leary
Perrault,
Quart,
Riel,
Robichaud,
Rowe,
Smith,
Sullivan,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, December 4, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Leblanc (*Laurier*), Railton and Anderson have been substituted for those of Messrs. Poulin, Loisel (*Chambly*) and Lachance on the list of members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 10th December, 1974.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 5, 1974.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Agriculture, for the proposed expenditures of the said Committee, with respect to its examination from time to time of any aspect of the agricultural industry in Canada, authorized by the Senate on the 29th October, 1974. The said budget is as follows:

Professional and Special Services	\$32,000
Transportation and Communications	200
Information—Printing	35,500
All Other Expenditures	2,600
	<hr/>
	\$70,300

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 5, 1974.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade and Commerce for the proposed expenditures of the said Committee, with respect to its examination of any bill relating to competition in Canada or to the *Combines Investigation Act*, in advance of the said bill coming before the Senate, or any matter relating thereto, authorized by the Senate on the 16th October, 1974. The said budget is as follows:

Professional and Special Services	\$14,890
Transportation and Communications	2,760
Information—Printing	28,816
All Other Expenditures	5,200
	<hr/>
	\$51,666

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 5, 1974.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Foreign Affairs for the proposed expenses of the said Committee on Foreign Affairs respecting its examination of Canadian relations with the United States, as authorized by the Senate on 6th November, 1974. The said budget is as follows:

Professional and Special Services	\$19,500
Transportation and Communications	400
Information—Printing	77,000
All Other Expenditures	500
	<hr/>
	\$97,400

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 5, 1974.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the

Budget presented to it by the Chairman of the Special Senate Committee on Science Policy for the proposed expenditures of the said Committee on Science Policy respecting the holding of a Special Meeting to determine the feasibility of establishing a Commission on the Future as authorized by the Senate on the 21st November, 1974. The said budget is as follows:

Professional and Other Services	\$37,098
All Other Expenditures	2,000
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	\$39,098

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act", reported that it had examined the said Bill and had directed him to report the same to the Senate with two amendments.

The amendments were then read by the Clerk Assistant as follows:—

1. *Page 2:* Strike out lines 10 to 12, both inclusive, and substitute therefor the following:

"(4) Except for the purposes of a prosecution under subsection (6) or (7), but subject to subsection (5)"

2. *Page 2:* Immediately after line 51 add the following:

"(7) Every person who, after having taken and subscribed an oath or affirmation pursuant to subsection (2), and having been designated by the Minister of Industry, Trade and Commerce for the purposes of this section, uses any information obtained in the examination of copies of invoices or other documents made available by the Minister of National Revenue pursuant to subsection (1) for the purpose of speculating in any stocks, bonds or other security or any product or article is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both.

(8) Except for the purposes of a prosecution under subsection (6) or (7), any copy of an invoice or other document made available by the Minister of National Revenue pursuant to subsection (1) is privileged and shall not be used as evidence in any proceedings whatever, and no person who has taken and subscribed an oath or affirmation pursuant to subsection (2) and who has been designated by the Minister of Industry, Trade and Commerce for the purposes of this section shall, by an order of any court, tribunal or other body, be required in any proceedings whatever to give oral testimony or to produce any copy of an invoice or other document with respect to any information obtained pursuant to this section."

With leave of the Senate,

The Honourable Senator Hayden moved, seconded by the Honourable Senator Langlois, that the Report be adopted now.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Sullivan, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Everett from the Standing Senate Committee on National Finance which was authorized to examine and report upon the expenditures set out in the Supplementary Estimates (B) laid before Parliament for the fiscal year ending the 31st March, 1975, presented the following Report:—

THURSDAY, December 5, 1974.

The Standing Senate Committee on National Finance, to which the Supplementary Estimates (B) laid before Parliament for the fiscal year ending March 31, 1975 were referred, has in obedience to the order of reference of Tuesday, November 26, 1974, examined the said Estimates and reports as follows:

1. In obedience to the foregoing, the Committee made a general examination of the Supplementary Estimates (B) and heard evidence from the Honourable J. Chrétien, President of the Treasury Board, and Mr. B. A. MacDonald, Assistant Secretary, Program Branch, Treasury Board.

2. These Supplementary Estimates total \$1,749 million and bring the total Estimates tabled for the fiscal year ending March 31, 1975 to \$25,951 million. It is to be noted that the original Main Estimates for the year ending March 31, 1975 total \$23,296 million and have been increased by Supplementary Estimates (A) and (B) by an amount of \$2,655 million, approximately 11½ per cent. For some time your Committee has been concerned about the size of the increases in the total Estimates as a result of Supplementary Estimates, but in the case of the Estimates for the year ending March 31, 1975, the increase of this magnitude is largely due to the effects of inflation. Seventy-two per cent of the total of these Supplementary Estimates (B) contain measures to combat the effects of inflation.

3. The budgetary expenditures provided in these Supplementary Estimates (B) total \$1,603 million, of which \$801 million represent statutory expenditures required by law. Some of the major items are:

- (a) \$315 million for fiscal transfers to the provinces;
- (b) \$172 million to meet the cost of the \$500 annual increase in rates of pay granted to most Government

of Canada employees effective April 1, 1974 to meet the effects of unusual rises in costs;

(c) \$169 million for additional subsidies on milk for manufacturing purposes and for the beef quality premium;

(d) \$118 million in payments to the railways in compensation for revenues foregone during 1974 as a result of the rate freeze; and

(e) \$195 million for payment of higher interest rates on the Public Debt including bonus interest payments to holders of Canada Savings Bonds.

4. The Treasury Board has supplied your Committee with a list explaining the \$1 items in the Supplementary Estimates (B).

5. A poster recently published by the Law Reform Commission was examined by your Committee. Questions were asked of the President of the Treasury Board as to whether or not this might be a frivolous expenditure of public monies. The President indicated that when such expenditures were brought to the attention of the Treasury Board they were examined by officials and this would be done in this case. The President of the Treasury Board stated that the Treasury Board reviews the budgetary requests of each department when the Main Estimates are made up and from time to time when the Supplementary Estimates are made up. It does not conduct an ongoing examination of the manner in which the budgeted expenditures are made provided they can fit within the amounts approved in the Estimates. In this respect the Treasury Board largely relies on the work of the Auditor General.

6. Your Committee is of the opinion that Treasury Board should improve its control procedures to eliminate frivolous spending, even though the expenditure might be included in the approved budgetary item. In this regard, your Committee referred the President of the Treasury Board to its report on Information Canada and most particularly to recommendations 4 and 5 of that report, which are as follows:

"In the Blue Book of Estimates, the cost of information services should be fully and clearly shown for each program of each department and for all government agencies. Treasury Board should publish a definition so that departments will know what items should be included in information services. This definition should be developed for Treasury Board by Information Canada.

Information Canada should act as the agent of the Treasury Board in screening the information budgets of all departments and agencies and advise Treasury Board regarding expenditures on information programs proposed by departments."

Your Committee is of the opinion that if the recommendations of its report on Information Canada were followed that frivolous expenditures in the information sector of government could be brought under much better control. Your Committee also drew the attention of the

President of the Treasury Board to similar recommendations on the control of government expenditures in the scientific field made by the Senate Committee on Science Policy.

7. Your Committee expressed concern about the growth both in the size and cost of the manpower requirement of the Federal Government.

8. Appendix A to this report shows the growth in man-years and salaries and wages over the last five years. Authorized man-years has increased from 272,000 man-years in 1970-71 to 333,000 man-years in 1974-75. Salaries and wages have increased from \$1,987 million to \$3,124 million. This represents approximately 57% increase in the cost of Federal Government manpower over the last five years. These figures do not include the salaries and wages of a number of federal departments and agencies including military personnel. Your Committee has asked the Treasury Board to provide these figures for the entire manpower complement of the Federal Government.

9. Appendix B shows a comparison of the mean salaries for categories and selected groups in the Public Service between 1972-73 and 1974-75, a period of two years.

Respectfully submitted.

D. D. EVERETT,
Chairman.

APPENDIX "A"

GROWTH IN MAN-YEARS AND SALARIES AND WAGES

Main Estimates	Authorized Man-years (000)	Increase from Previous ME (000)	Salaries and Wages (\$ millions)	Increase from Previous ME (\$ millions)
1970-71	272.2	(4.3)	1987.2	295.1
1971-72	280.7	8.5	2252.8	265.6
1972-73	291.2	10.5	2449.4	196.6
1973-74	315.4	24.2	2753.8	304.4
1974-75	333.0	17.6	3124.0	370.2

Note: National Defence military personnel are not included in either the man-years or the salaries and wages.

APPENDIX "B"

Comparison of Mean Salaries for categories and selected groups in the Public Service 1972-73 versus 1974-75

Category	Mean Salaries in \$		Percentage Increase
	1972-73	1974-75	
Senior Executive	27,688	32,385	17.0
Scientific and Professional	14,102	17,215	22.1
Administrative and Foreign Service	12,698	15,846	24.8
Technical	9,799	12,280	25.3
Administrative Support	6,599	8,481	28.5
Operational	6,694	8,961	33.9
Groups			
Economics, Soc. Stat.	16,874	20,138	19.3
Administrative Services	12,980	15,952	22.9
Eng. & Scient. Support	9,458	11,512	21.7
Clerical and Regulatory	6,874	8,971	30.5
Secret. Steno, Typing	5,867	7,275	24.0
General Services	5,877	7,414	26.2

The Honourable Senator Everett moved, seconded by the Honourable Senator Lang, that the Report be taken into consideration at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 10th December, 1974, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purposes of its examination and consideration of such legislation and other matters as may be referred to it.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Langlois, for the second reading of the Bill C-15, intituled: "An Act respecting oil and gas in Indian lands".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Langlois, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Fergusson, P.C., for the second reading of the Bill C-18, intituled: "An Act to amend the Fire Losses Replacement Account Act".

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After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Fergusson, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Neiman moved, seconded by the Honourable Senator Deschatelets, P.C., that the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code", be read the second time.

After debate,

The Honourable Senator Deschatelets, P.C., for the Honourable Senator Hicks moved, seconded by the Honourable Senator Norrie, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-214, intituled: "An Act to amend the Electoral Boundaries Readjustment Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-20, intituled: "An Act to amend the Territorial Lands Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany.

After debate,

The Honourable Senator Lafond moved, seconded by the Honourable Senator Blois, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll call-

ing the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

- (a) is evaluation,
- (b) the beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1974
Canada

Journals of the Senate

No. 32

Tuesday, 10th December, 1974

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Connolly	Giguère,	Lawson,	O'Leary,
Basha,	(Ottawa West),	Godfrey,	Lefrançois,	Paterson,
Beaubien,	Cook,	Goldenberg,	Macdonald,	Petten,
Bélisle,	Côté,	Gouin,	Macnaughton,	Riley,
Benidickson,	Cottreau,	Graham,	Manning,	Robichaud,
Blois,	Croll,	Haig,	McDonald,	Smith,
Bonnell,	Denis,	Hayden,	McElman,	Stanbury,
Boucher,	Deschatelets,	Hicks,	McGrand,	Sullivan,
Bourget,	Duggan,	Inman,	McIlraith,	Thompson,
Buckwold,	Fergusson,	Lafond,	McNamara,	van Roggen,
Cameron,	Flynn,	Laird,	Michaud,	Walker,
Carter,	Forsey,	Langlois,	Neiman,	Williams.
Choquette,	Fournier	Lapointe,	Norrie,	
	(de Lanaudière),			

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 5, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Jelinek has been substituted for that of Mr. Forrestall on the list of members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 5, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Isabelle has been substituted for that of Mr. Francis on the list of members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 5, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Francis has been substituted for that of Mr. Isabelle on the list of members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 5, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Brewin has

been substituted for that of Mr. Leggatt on the list of members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill S-12, intituled: "An Act to amend the Immigration Act",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

The Honourable Senator Langlois laid on the Table the following:—

Copies of Report entitled "Tomorrow's Capital", a regional planning concept proposed by the National Capital Commission, 1974.

Report of the President and statement of accounts of the Industrial Development Bank for the fiscal year ended September 30, 1974, pursuant to section 30(4) of the *Industrial Development Bank Act*, Chapter I-9, R.S.C., 1970.

Copies of contracts between the Government of Canada and the municipalities of Parkdale and Sherwood, Prince Edward Island, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

Report of the Canadian Grain Commission for the year ended December 31, 1973, pursuant to section 14 of the *Canada Grain Act*, Chapter 7, Statutes of Canada, 1970-71-72.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Smith, that the Bill C-18, intituled: "An Act to amend the Fire Losses Replacement Account Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator

Neiman, seconded by the Honourable Senator Deschatelets, P.C., for the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Langlois, for the adoption of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Godfrey moved, seconded by the Honourable Senator Riley, that the Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-214, intituled: "An Act to amend the Electoral Boundaries Readjustment Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Buckwold moved, seconded by the Honourable

Senator Giguère, that the Bill S-20, intituled: "An Act to amend the Territorial Lands Act", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on National Finance on the Supplementary Estimates (B) laid before Parliament for the fiscal year ending the 31st March, 1975.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that the Report be adopted now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) the beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 33

Wednesday, 11th December, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Godfrey,	Langlois,	Neiman,
Basha,	Cottreau,	Goldenberg,	Lapointe,	Norrie,
Beaubien,	Croll,	Graham,	Lawson,	Petten,
Bélisle,	Davey,	Greene,	Lefrançois,	Prowse,
Benidickson,	Denis,	Grosart,	Macdonald,	Quart,
Blois,	Deschatelets,	Haig,	Macnaughton,	Riley,
Bonnell,	Desruisseaux,	Hastings,	Manning,	Robichaud,
Boucher,	Duggan,	Hayden,	McDonald,	Smith,
Bourget,	Fergusson,	Hicks,	McElman,	Stanbury,
Cameron,	Flynn,	Inman,	McGrand,	Thompson,
Carter,	Forsey,	Lafond,	McIlraith,	van Roggen,
Choquette,	Fournier	Laird,	McNamara,	Walker,
Connolly	(de Lanaudière),	Lamontagne,	Michaud,	Williams.
(Ottawa West),	Giguère,			

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Croll, that the Bill be placed on the Orders of the Day for a second reading later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Haig from the Standing Senate Committee on Transport and Communications to which was referred the Bill S-18, intituled: "An Act respecting International Air Transport Association", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Haig moved, seconded by the Honourable Senator Walker, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting today and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the name of the Honourable Senator Cottreau be substituted for that of the Honourable Senator Thompson on the list of Senators serving on the Special Joint Committee on Employer-Employee Relations in the Public Service; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Croll, that the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act", be read the third time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Lawson resumed the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Deschatelets, P.C., for the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Godfrey, seconded by the Honourable Senator Riley for the second reading of the Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Buckwold, seconded by the Honourable Senator Giguère, for the second reading of the Bill S-20, intituled: "An Act to amend the Territorial Lands Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that the Bill C-214, intituled: "An Act to amend the Electoral Boundaries Readjustment Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) the beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Croll,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 34

Thursday, 12th December, 1974

2.00 o'clock p.m.

The Honourable MAURICE BOURGET, P.C., Speaker *pro tem*.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Fournier	Laird,	Neiman,
Basha,	Cottreau,	(Restigouche-	Langlois,	Norrie,
Beaubien,	Croll,	Gloucester),	Lawson,	O'Leary,
Bélisle,	Davey,	Giguère,	Lefrançois,	Petten,
Bonnell,	Denis,	Godfrey,	Macdonald,	Prowse,
Boucher,	Deschatelets,	Goldenberg,	Macnaughton,	Quart,
Bourget,	Duggan,	Graham,	McDonald,	Riley,
Buckwold,	Fergusson,	Grosart,	McElman,	Robichaud,
Cameron,	Flynn,	Haig,	McGrand,	Smith,
Carter,	Forsey,	Hastings,	McIlraith,	Stanbury,
Choquette,	Fournier	Inman,	McNamara,	Thompson,
Connolly	(de Lanaudière),	Lafond,	Michaud,	van Roggen,
(Ottawa West),			Molgat,	Williams.

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Grosart:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Bourget, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator Bourget, P.C., took the Chair.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, December 10, 1974.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Forrestall and Baker (Grenville-Carleton) have been substituted for those of Messrs. Jelinek and Fairweather on the list of members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Langlois laid on the Table the following:—

Text of Statement made in the House of Commons by the Secretary of State on December 11, 1974, announcing that the federal-provincial program on bilingualism in education has been extended to include the Yukon and Northwest Territories.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Macnaughton, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Friday, 13th December, 1974, at eleven o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Croll, for the third reading of the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Denis, P.C., that the Bill S-18, intituled: "An Act respecting International Air Transport Association", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the Bill C-214, intituled: "An Act to amend the Electoral Boundaries Readjustment Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Prowse resumed the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Deschatelets, P.C., for the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975".

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Godfrey, seconded by the Honourable Senator Riley for the second reading of the Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) the beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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No. 35

Friday, 13th December, 1974

11.00 o'clock a.m.

The Honourable MAURICE BOURGET, P.C., Speaker *pro tem*.

The Members convened were:

The Honourable Senators

Bélisle,
Boucher,
Bourget,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,

Cottreau,
Denis,
Duggan,
Fergusson,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Grosart,
Hastings,
Lamontagne,
Langlois,

Lefrançois,
Macdonald,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,

O'Leary,
Petten,
Prowse,
Quart,
Riley,
Robichaud,
Thompson,
Williams.

PRAYERS.

The Honourable the Speaker *pro tem* informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker *pro tem* as follows:—

GOVERNMENT HOUSE
OTTAWA

December 13, 1974

Sir,

I have the honour to inform you that His Excellency the Governor General will proceed to the Senate Chamber to-day, the 13th day of December, at 11.45 a.m. for the purpose of giving Royal Assent to certain Bills.

I have the honour to be,
Sir,
Your obedient servant,

ANDRÉ GARNEAU
Brigadier General

Administrative Secretary to the Governor General.

The Honourable

The Speaker *pro tem* of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

Thursday, December 12, 1974.

*Ordered,—*That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Olivier has been substituted for that of Mr. Francis on the list of members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 16th December, 1974, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Croll, for the third reading of the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Deschatelets, P.C., for the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Godfrey, seconded by the Honourable Senator Riley for the second reading of the Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

- (a) its evaluation,
- (b) the beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker *pro tem* having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eleven thirty o'clock a.m., it was—

Resolved in the affirmative. 11.25 a.m.

The sitting of the Senate was resumed 11.35 a.m.

The Honourable the Speaker *pro tem* having put the question whether the Senate do now adjourn during pleasure to await the arrival of His Excellency the Governor General it was—

Resolved in the affirmative.

After awhile, His Excellency the Governor General, having come and being seated on the Throne—

The Honourable the Speaker *pro tem* commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the pleasure of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant then read the titles of the Bills to be assented to, as follows:—

An Act to amend the Immigration Act

An Act to amend the Electoral Boundaries Readjustment Act

An Act respecting the Boundary between the Provinces of Alberta and British Columbia

An Act to amend the Fire Losses Replacement Account Act

An Act respecting British Columbia Telephone Company.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Petten moved, seconded by the Honourable Senator Fergusson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1974
Canada

Journals of the Senate

No. 36

Monday, 16th December, 1974

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Basha,	Connolly	Fergusson,	Lefrançois,	Michaud,
Beaubien,	(Ottawa West),	Graham,	Macdonald,	Norrie,
Bélisle,	Cook,	Grosart,	Macnaughton,	Perrault,
Benidickson,	Côté,	Lafond,	Manning,	Petten,
Boucher,	Cottreau,	Laird,	McDonald,	Prowse,
Bourget,	Croll,	Lamontagne,	McGrand,	Riley,
Cameron,	Denis,	Langlois,	McIlraith,	Robichaud,
Carter,	Everett,	Lapointe,	McNamara,	Stanbury,
				Williams.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of Transport for the fiscal year ended March 31, 1974, pursuant to section 34 of the *Department of Transport Act*, Chapter T-15, R.S.C., 1970.

Copies of a contract between the Government of Canada and the Municipality of Wetaskiwin, Alberta, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Croll, for the third reading of the Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Deschatelets, P.C., for the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Godfrey, seconded by the Honourable Senator Riley for the second

reading of the Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate committee report, and in particular to

(a) its evaluation,

(b) the beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Ordered, That the motion standing in the name of the Honourable Senator Everett for Tuesday, 17th December, 1974, be brought forward.

The Honourable Senator Everett moved, seconded by the Honourable Senator Cook:

That the Standing Senate Committee on National Finance be authorized to examine in detail and report upon the Estimates of the Manpower Division of the Department of Manpower and Immigration for the fiscal year ending the 31st March, 1975.

After debate,

The Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Croll, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 37

Tuesday, 17th December, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Carter,	Fournier	Langlois,	Norrie,
Asselin,	Choquette,	(<i>Restigouche-</i>	Lapointe,	O'Leary,
Barrow,	Connolly	<i>Gloucester</i>),	Lefrançois,	Paterson,
Basha,	(<i>Ottawa West</i>),	Graham,	Macdonald,	Perrault,
Beaubien,	Cook,	Grosart,	Macnaughton,	Petten,
Bélisle,	Côté,	Hayden,	Manning,	Prowse,
Benidickson,	Cottreau,	Hicks,	McElman,	Robichaud,
Blois,	Croll,	Inman,	McGrand,	Rowe,
Bonnell,	Denis,	Lafond,	McIlraith,	Smith,
Boucher,	Deschatelets,	Laird,	McNamara,	Sparrow,
Bourget,	Everett,	Lamontagne,	Michaud,	Stanbury,
Buckwold,	Fergusson,	Lang,	Neiman,	Williams.
Cameron,	Flynn,			

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-36, intituled: "An Act to provide for representation in the House of Commons, to establish electoral boundaries commissions and to remove the temporary suspension of the Electoral Boundaries Readjustment Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-45, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading later this day.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Superintendent of Insurance for Canada on Small Loans Companies and Money-Lenders licensed under the *Small Loans Act* for the year ended December 31, 1973.

Supplementary Estimates (C) for the fiscal year ending March 31, 1975.

The Honourable Senator Macnaughton, P.C., Acting Chairman, from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-15, intituled: "An Act respecting oil and gas in Indian lands", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Deschatelets, P.C., for the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate,

The Honourable Senator Petten for the Honourable Senator Davey, moved, seconded by the Honourable Senator Buckwold, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Macdonald, that the Bill be referred to the Standing Senate Committee on National Finance.

After debate, and—

The question being put on the motion—

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Asselin
Bélisle
Choquette
Fergusson

Flynn
Grosart
Lang
Macdonald
O'Leary—9.

NAYS

The Honourable Senators

Barrow	Hayden
Basha	Hicks
Benidickson	Inman
Boucher	Lamontagne
Bourget	Langlois
Buckwold	Lefrançois
Cameron	McElman
Connolly (Ottawa West)	McGrand
Cook	McIlraith
Cottreau	McNamara
Croll	Neiman
Denis	Norrie
Deschatelets	Perrault
Everett	Petten
Fournier (Restigouche- Gloucester)	Prowse
Graham	Robichaud
	Smith
	Williams—34.

So it was resolved in the negative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois then laid on the Table the following:—

Text of opinion of the Director of the Legislation Section of the Department of Justice with regard to clause 5 of Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975".

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Godfrey, seconded by the Honourable Senator Riley, for the second reading of the Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois, moved, seconded by the Honourable Senator Hayden, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at eight o'clock p.m., it was—

Resolved in the affirmative. 4.50 p.m.

The sitting of the Senate was resumed. 8.00 p.m.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Everett, seconded by the Honourable Senator Cook:

That the Standing Senate Committee on National Finance be authorized to examine in detail and report upon the Estimates of the Manpower Division of the Department of Manpower and Immigration for the fiscal year ending the 31st March, 1975.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate Committee report, and in particular to

(a) its evaluation,

(b) the beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill C-36, intituled: "An Act to provide for representation in the House of Commons, to establish electoral boundaries commissions and to remove the temporary suspension of the Electoral Boundaries Readjustment Act", be read the second time.

After debate,

The Honourable Senator O'Leary moved, seconded by the Honourable Senator Blois, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-45, intituled: "An

Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 38

Wednesday, 18th December, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,

Choquette,
Connolly
(Ottawa West),
Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Fergusson,
Flynn,

Fournier
(Restigouche-
Gloucester),
Godfrey,
Graham,
Greene,
Grosart,
Hayden,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,

Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Neiman,

Norrie,
O'Leary,
Paterson,
Perrault,
Petten,
Prowse,
Quart,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
Stanbury,
Williams.

PRAYERS.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Godfrey moved, seconded by the Honourable Senator Barrow, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Langlois, that the Bill C-15, intituled: "An Act respecting oil and gas in Indian lands", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975", be read the third time.

After debate,

In amendment, the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the Bill be not now read the third time but that it be referred to the Standing Committee on National Finance with instructions

(a) to obtain information from the Department of Finance on the meaning and ramifications of subclause (2) of clause 3, and of clause 5;

(b) to obtain information from the Department of Justice upon and to consider the legality and constitutionality of clause 5; and

(c) to amend the bill, if deemed advisable, possibly by deleting clause 5.

After debate,

A point of order having been raised by the Honourable Senator Langlois,

After debate,

The Honourable the Speaker ruled that the motion in amendment was in order.

The question being put on the motion in amendment,

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Argue	Choquette
Asselin	Flynn
Bélisle	Grosart
Blois	Macdonald
Cameron	O'Leary
Carter	Quart—12.

NAYS

The Honourable Senators

Barrow	Lafond
Basha	Langlois
Bonnell	Lefrançois
Boucher	McDonald
Bourget	McElman
Buckwold	McGrand
Connolly (<i>Ottawa West</i>)	McIlraith
Cook	McNamara
Côté	Michaud
Cottreau	Neiman
Davey	Norrie
Denis	Perrault
Deschatelets	Petten
Fournier (<i>Restigouche-Gloucester</i>)	Prowse
Godfrey	Riley
Graham	Robichaud
Greene	Rowe
Hicks	Smith
Inman	Sparrow
	Stanbury
	Williams—40.

So it was resolved in the negative.

The question then being put on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the third reading of the Bill C-42, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975", it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Deschatelets, P.C., for

the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-36, intituled: "An Act to provide for representation in the House of Commons, to establish electoral boundaries commissions and to remove the temporary suspension of the Electoral Boundaries Readjustment Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-45, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975".

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate Committee report, and in particular to

- (a) its evaluation,
- (b) the beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Manning, P.C., being called,

It was—

Ordered, That it be postponed until Tuesday, 28th January, 1975.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Sparrow moved, seconded by the Honourable Senator Godfrey:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (C) laid before Parliament for the fiscal year ending the 31st March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

Date	Description
1901	Jan 1 - 1901
1902	Jan 1 - 1902
1903	Jan 1 - 1903
1904	Jan 1 - 1904
1905	Jan 1 - 1905
1906	Jan 1 - 1906
1907	Jan 1 - 1907
1908	Jan 1 - 1908
1909	Jan 1 - 1909
1910	Jan 1 - 1910
1911	Jan 1 - 1911
1912	Jan 1 - 1912
1913	Jan 1 - 1913
1914	Jan 1 - 1914



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Journals of the Senate

No. 39

Thursday, 19th December, 1974

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,

Cameron,
Carter,
Choquette,
Cook,
Côté,
Cottreau,
Davey,
Denis,
Deschatelets,
Fergusson,
Flynn,
Forsey,

Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),
Godfrey,
Graham,
Greene,
Grosart,
Inman,
Lafond,
Laird,

Lang,
Langlois,
Lapointe,
Lefrançois,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Neiman,

Norrie,
O'Leary,
Perrault,
Petten,
Prowse,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
Stanbury,
Williams.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of External Affairs for the year ended December 31, 1973, pursuant to section 6 of the *Department of External Affairs Act*, Chapter E-20, R.S.C., 1970.

Revised Capital Budget of Central Mortgage and Housing Corporation for the year ending December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, as approved by Order in Council P.C. 1974-2691, dated December 5, 1974,

Capital Budget of the National Harbours Board for the year ended December 31, 1972, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1972-2619, dated November 9, 1972, approving same.

Capital Budget of The St. Lawrence Seaway Authority for the year ended December 31, 1972, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1972-2486, dated October 5, 1972, approving same.

The Honourable Senator Robichaud, P.C., presented to the Senate a Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Robichaud, P.C., moved, seconded by the Honourable Senator Basha, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Laird, Deputy Chairman, from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill C-36, intituled: "An Act to provide for representation in the House of Commons, to establish electoral boundaries commissions and to remove the temporary suspension of the Electoral Boundaries Readjustment Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable Senator Sparrow, Deputy Chairman, from the Standing Senate Committee on National Finance which was authorized to examine and report upon the expenditures set out in the Supplementary Estimates (C) laid before Parliament for the fiscal year ending the 31st March, 1975, tabled the Report of the said Committee on the said Supplementary Estimates (C).

The Report was then read by the Clerk Assistant as follows:—

THURSDAY, December 19th, 1974.

The Standing Senate Committee on National Finance to which the Supplementary Estimates (C) laid before Parliament for the fiscal year ending March 31, 1975 were referred, has in obedience to the order of reference of Wednesday, December 18th, 1974, examined the said Estimates and reports as follows:

1) In obedience to the foregoing the Committee made an examination of the Supplementary Estimates (C) and heard evidence from the Honourable Donald S. Macdonald, Minister of Energy, Mines and Resources; Mr. M. Foster, Parliamentary Secretary to the Minister; Mr. N. Stewart, Chairman, Energy Supplies Allocation Board; and Mr. M. Bryant of the Department of Energy, Mines and Resources.

2) The Supplementary Estimates (C) total \$365 million and are needed in order to make payments for the restraint of prices of petroleum products to consumers primarily in the Atlantic Provinces, Quebec and that part of Ontario east of the line known as the Ottawa Valley Line. This amount will cover the three months of the New Year from the 1st January to the 31st March, 1975, and will bring the compensation payments for the fiscal year 1974-75 to a total of \$1,165 million. The necessity for this increase has been brought about by the fact that Bill C-32, the Petroleum Administration Act, which had been envisaged being passed by the 1st January, 1975, has now been delayed until the New Year. It was pointed out to your Committee that this total does not include the \$240 million appropriated for the last three months of the fiscal year 1973-74, i.e. from the 1st January to the 31st March, 1974.

The Minister of Energy, Mines and Resources informed your Committee that there is a surplus balance of over \$200 million from the revenues of the export charge after compensation payments, that to date there has been no charge to general revenue and that it is his objective to continue in this vein if possible.

Respectfully submitted,

H. O. Sparrow,
Deputy Chairman.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Friday, 20th December, 1974, at eleven o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Godfrey moved, seconded by the Honourable Senator Riley, that the Bill C-14, intituled: "An Act to incorporate the Federal Business Development Bank", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-45, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Bonnell resumed the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Deschatelets, P.C., for the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate,

The Honourable Senator Neiman moved, seconded by the Honourable Senator Norrie, that further debate on

the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate Committee report, and in particular to

(a) its evaluation,

(b) the beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eight o'clock p.m., it was—

Resolved in the affirmative.

4.30 p.m.

The sitting of the Senate resumed.

8.15 p.m.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 40

Friday, 20th December, 1974

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bourget,
Carter,

Choquette,
Cook,
Côté,
Cottreau,
Davey,
Denis,
Deschatelets,
Fergusson,
Forsey,

Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),
Godfrey,
Graham,
Grosart,
Inman,

Lafond,
Langlois,
Lapointe,
Lefrançois,
McDonald,
McElman,
McIlraith,
McNamara,
Michaud,
Molgat,

Neiman,
O'Leary,
Perrault,
Petten,
Prowse,
Riley,
Robichaud,
Rowe,
Sparrow,
Williams.

PRAYERS.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Neiman, seconded by the Honourable Deschatelets, P.C., for the second reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Neiman moved, seconded by the Honourable Senator Deschatelets, P.C., that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twentieth Annual Session of the North Atlantic Assembly, held at London, England, from 11th to 16th November, 1974, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada, and to the visit of the delegation from Canada with Canadian Forces in Germany.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate Committee report, and in particular to

(a) its evaluation,

(b) the beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately one thirty o'clock p.m., it was—

Resolved in the affirmative.

11.40 a.m.

The sitting of the Senate resumed.

4.15 p.m.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Interim report of the Textile and Clothing Board, dated December 17, 1974, pursuant to section 17(2) of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting nylon fabrics.

Report of the Textile and Clothing Board, dated July 11, 1974, on a re-examination of the situation respecting cotton terry towels and towelling.

Report of the Textile and Clothing Board, dated September 18, 1974, to the Minister of Industry, Trade and Commerce, pursuant to section 19 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting cotton yarns.

Report of the Textile and Clothing Board, dated December 11, 1974, on an inquiry respecting acrylic yarns.

Report of the Textile and Clothing Board, dated October 30, 1974, on an inquiry respecting men's and boys' shirts.

Ordered, That the Speeches delivered on the occasion of the unveiling of the portrait of the Honourable Muriel McQueen Fergusson, P.C., Speaker of the Senate in the 29th Parliament, be printed as an Appendix to the Debates of the Senate of this day.

A Message was brought from the House of Commons by their Clerk with a Bill C-9, intituled: "An Act to amend the *Export Development Act*", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the second time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-38, intituled: "An Act respecting the office of the Secretary to the Cabinet for Federal-Provincial Relations and respecting the Clerk of the Privy Council", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Cook, that the Bill be read the second time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Cook, that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE
OTTAWA

DECEMBER 20, 1974

Madam,

I have the honour to inform you that the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in

his capacity as Deputy Governor General, will proceed to the Senate Chamber Friday the 20th day of December, at 5.45 p.m. for the purpose of giving Royal Assent to certain Bills.

I have the honour to be,
Madam,
Your obedient servant,

ANDRÉ GARNEAU
Brigadier General

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday, 28th January, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Messages were brought from the House of Commons by their Clerk to return the following Bills,

And to acquaint the Senate that the Commons have passed these Bills without amendment:

Bill S-2, intituled: "An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act".

Bill S-3, intituled: "An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada".

Bill S-16, intituled: "An Act to revise references to the Court of Queen's Bench of the Province of Quebec".

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 19, 1974

Ordered,—That a Message be sent to the Senate to acquaint their Honours that the Guidelines for Motions for the Production of Papers, Tabled this day by the President of the Privy Council (Sessional Paper No.

301-7/7), has been referred to the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 19, 1974

Ordered,—That a Message be sent to the Senate to acquaint their Honours that the subject-matter of Bill C-225, An Act respecting the right of the public to information concerning the public business, has been referred to the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 5.35 p.m.

The sitting of the Senate was resumed. 5.50 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Right Honourable the Deputy of His Excellency the Governor General, it was,—

Resolved in the affirmative.

After awhile, the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Right Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to provide for representation in the House of Commons, to establish electoral boundaries commissions and to remove the temporary suspension of the Electoral Boundaries Readjustment Act

An Act to incorporate the Federal Business Development Bank

An Act respecting oil and gas in Indian lands

An Act respecting the office of the Secretary to the Cabinet for Federal-Provincial Relations and respecting the Clerk of the Privy Council

An Act to amend the Export Development Act

An Act to amend the Supreme Court Act and to make related amendments to the Federal Court Act

An Act to revise references to the Court of Queen's Bench of the Province of Quebec

An Act to provide for a continuing revision and consolidation of the statutes and regulations of Canada.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Right Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Honourable the Speaker of the Commons addressed the Right Honourable the Deputy of His Excellency the Governor General, as follows:—

"May it Please Your Honour:

The Commons of Canada have voted supplies required to enable the Government to defray certain expenses of the public service:

In the name of the Commons, I present to Your Honour the following Bills:—

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975.

To which Bills I humbly request Your Honour's Assent."

After the Clerk Assistant read the titles of the Bills,—

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Right Honourable the Deputy of His Excellency the Governor General thanks her loyal subjects, accepts their benevolence, and assents to these Bills."

The Commons withdrew.

After which the Right Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

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Journals of the Senate

No. 41

Tuesday, 28th January, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Bélisle,
Blois,
Bonnell,
Boucher,
Bourget,
Cameron,
Carter,
Connolly
(Ottawa West),
Cook,

Côté,
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Eudes,
Fergusson,
Flynn,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Gélinas,
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Heath,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,

Neiman,
O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Robichaud,
Rowe,
Smith,
Sparrow,
Thompson,
Walker,
Yuzyk.

PRAYERS.

The Honourable the Speaker presented to the Senate—

A Supplementary Return by the Clerk of the Senate with reference to the Property Qualification of Senators, as follows:—

OTTAWA, January 28, 1975

Madam,

In accordance with the motion adopted by the Senate on the 12th November 1974, I have the honour to submit herewith a supplementary list of names of Members of the Senate who have renewed their declaration of Property Qualification.

I have the honour to be,

Madam,

Your obedient servant,

ROBERT FORTIER,
Clerk of the Senate.

The Honourable Renaude Lapointe
Speaker of the Senate

The Honourable Senator Eudes

Ordered, That the Return do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-39, intituled: "An Act to amend the Customs Tariff, (No. 2)", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 30th January, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-29, intituled: "An Act respecting Canadian business corporations", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 30th January, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Report, dated July 30, 1974, on the proposed investigation under section 23 of the *Pilotage Act*, Chapter 52, Statutes of Canada, 1970-71-72.

Report on operations under the *Regional Development Incentives Act* for the months of September and October 1974, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Report of the Economic Council of Canada, including financial statement certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 21(1) of the *Economic Council of Canada Act*, Chapter E-1, R.S.C., 1970.

Report on the administration of the *Canada Assistance Plan* for the fiscal year ended March 31, 1973, pursuant to section 19, Chapter C-1, R.S.C., 1970.

Report on the administration of Allowances for Blind Persons in Canada for the fiscal year ended March 31, 1974, pursuant to section 12 of the *Blind Persons Act*, Chapter B-7, R.S.C., 1970.

Report of expenditures and administration in connection with the *Unemployment Assistance Act* for the fiscal year ended March 31, 1974, pursuant to section 8 of the said Act, Chapter U-1, R.S.C., 1970.

Report on the administration of Old Age Assistance in Canada for the fiscal year ended March 31, 1974, pursuant to section 12 of the *Old Age Assistance Act*, Chapter O-5, R.S.C., 1970.

Report on the administration of Allowances for Disabled Persons in Canada for the fiscal year ended March 31, 1974, pursuant to section 12 of the *Disabled Persons Act*, Chapter D-6, R.S.C., 1970.

Report relating to matters transacted by the Registrar General of Canada as Registrar under the *Trade Unions Act* during the year ended December 31, 1974, pursuant to section 30 of the said Act, Chapter T-11, R.S.C., 1970.

Report of the Department of the Environment for the fiscal year ended March 31, 1974, pursuant to section 7 of the *Department of the Environment Act*, Part I of Chapter 42, Statutes of Canada, 1970-71-72.

Report of the Public Service Staff Relations Board for the fiscal year ended March 31, 1974, pursuant to section 115 of the *Public Service Staff Relations Act*, Chapter P-35, R.S.C., 1970.

Report of the Superintendent of Insurance for Canada, Volume III, Annual Statements of Life Insurance Companies and Fraternal Benefit Societies, for the year ended December 31, 1973, pursuant to section 8 of the *Department of Insurance Act*, Chapter I-17, R.S.C., 1970.

Report of the National Arts Centre Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 17 of the *National Arts Centre Act*, Chapter N-2, R.S.C., 1970.

Copies of Press Communiqué, dated January 16, 1975, of the Interim Committee of the Board of Governors on the International Monetary System, which met in Washington, D.C., January 15 and 16, 1975.

Copies of Communiqué, dated January 16, 1975, issued following the Ministerial Meeting of the Group of Ten, held in Washington, D.C., January 14 and 16, 1975.

Copies of a contract between the Government of Canada and the Municipality of Cardston, Alberta, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

Text of Statement made in the House of Commons on January 23, 1975, by the Secretary of State respecting the *Income Tax Act* and certain foreign magazines, notably *Time* and *Reader's Digest*.

Report of the Ministry of State for Science and Technology for the fiscal year ended March 31, 1974, pursuant to section 22 of the *Ministries and Ministers of State Act*, Part IV of Chapter 42, Statutes of Canada, 1970-71-72.

Report of the Department of Industry, Trade and Commerce for the fiscal year ended March 31, 1974, pursuant to section 8 of the *Department of Industry, Trade and Commerce Act*, Chapter I-11, R.S.C., 1970.

The Order of the Day being called for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

It was—

Ordered, That it be postponed until Wednesday, 12th February, 1975.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator

Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Fergusson, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate Committee report, and in particular to

- (a) its evaluation,
- (b) the beneficial results, and
- (c) as a follow-up, to a suggested future course of action for the Senate.

It was—

Ordered, That it be postponed until Tuesday, 11th February, 1975.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 42

Wednesday, 29th January, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cottreau,
Barrow,	Croll,
Basha,	Davey,
Bélisle,	Denis,
Blois,	Deschatelets,
Bonnell,	Desruisseaux,
Boucher,	Eudes,
Bourget,	Everett,
Cameron,	Fergusson,
Carter,	Flynn,
Connolly	Fournier
(Ottawa West),	(Restigouche-
Cook,	Gloucester),
Côté,	

Gélinas,
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Hays,
Heath,
Hicks,
Inman,
Lafond,
Laird,

Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,

Molson,
Neiman,
O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Robichaud,
Rowe,
Smith,
Sparrow,
Thompson,
Walker,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, January 28, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Scott has been substituted for that of Mr. Munro (*Esquimalt-Saanich*) on the list of Members appointed to serve on the Standing Joint Committee on the Restaurant of Parliament.

ATTEST

ALISTAIR FRASER,

The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-40, intituled: "An Act to amend the Excise Tax Act and the Excise Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 4th February, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establish-

ment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Cook:

That a Special Committee of the Senate be appointed to consider and report upon the question of the installation of stained glass windows in the clerestory of the Senate Chamber;

That the Committee have power to send for persons, papers and records, to examine witnesses and to print such papers and evidence from day to day as may be ordered by the Committee;

That the Committee have power to sit during adjournments of the Senate; and

That the Committee be composed of the Honourable Senators Beaubien, Cameron, Carter, Connolly (*Ottawa West*), Deschatelets, Fergusson, Forsey, Gélinas, Hicks, Lafond, Neiman, O'Leary, Quart, Sullivan and Yuzyk.

After debate,

With leave of the Senate and pursuant to Rule 23, the motion was modified by adding the name of the Honourable Senator Thompson to the list of Senators to serve on the proposed Special Committee.

The question being put on the motion, as modified, it was—

Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 43

Thursday, 30th January, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Blois,
Boucher,
Bourget,
Carter,
Connolly
(Ottawa West),
Cook,

Côté,
Cottreau,
Croll,
Davey,
Denis,
Eudes,
Everett,
Fergusson,
Flynn,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Gélinas,
Giguère,
Goldenberg,
Graham,
Grosart,
Hays,
Heath,
Hicks,
Inman,

Lafond,
Laird,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,

Molgat,
Molson,
Neiman,
O'Leary,
Petten,
Prowse,
Quart,
Rowe,
Smith,
Thompson,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Langlois laid on the Table the following:—

Report of the Department of the Solicitor General for the fiscal year ended March 31, 1974, pursuant to section 5 of the *Department of the Solicitor General Act*, Chapter S-12, R.S.C., 1970.

Report of the Superintendent of Insurance on the administration of the *Investment Companies Act*, for the fiscal year ended March 31, 1974, pursuant to section 27(1) of the said Act, Chapter 33, Statutes of Canada, 1970-71-72.

Capital Budget of Central Mortgage and Housing Corporation for the year ending December 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, as approved by Order in Council P.C. 1975-171, dated January 23, 1975.

Report of the Department of Energy, Mines and Resources for the fiscal year ended March 31, 1974, pursuant to section 5 of the *Department of Energy, Mines and Resources Act*, Chapter E-6, R.S.C., 1970.

Report of the Department of Indian Affairs and Northern Development for the fiscal year ended March 31, 1974, pursuant to section 7 of the *Department of Indian Affairs and Northern Development Act*, Chapter I-7, R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart:

That the name of the Honourable Senator Sullivan be removed from the list of Senators serving on the Special Committee of the Senate on Science Policy.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart:

That the name of the Honourable Senator Quart be substituted for that of the Honourable Senator Asselin on the list of Senators serving on the Special Joint Committee on Employer-Employee Relations in the Public Service; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 4th February, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Smith, that the Bill C-39, intituled: "An Act to amend the Customs Tariff, (No. 2)", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-29, intituled: "An Act respecting Canadian business corporations",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Smith,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 44

Tuesday, 4th February, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Basha,
Bélisle,
Blois,
Boucher,
Bourget,
Cameron,
Carter,
Connolly
(Ottawa West),
Cook,
Cottreau,
Croll,

Davey,
Denis,
Deschatelets,
Desruisseaux,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Gélinas,

Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hastings,
Hayden,
Hicks,
Inman,
Lafond,
Laird,
Langlois,
Lapointe,

Lawson,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,

O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Riley,
Robichaud,
Rowe,
Smith,
Sullivan,
Thompson,
van Roggen,
Walker,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, January 30, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Towers has been substituted for that of Mr. Dinsdale on the list of members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of Supply and Services, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1974, pursuant to section 12 of the *Department of Supply and Services Act*, Chapter S-18, R.S.C., 1970.

Statement of the Chartered Banks of Canada showing Revenue, Expenses and Other Information for the fiscal year ended October 31, 1974, pursuant to section 119(1) of the *Bank Act*, Chapter B-1, R.S.C., 1970.

Report of operations under the *International River Improvements Act* for the year ended December 31, 1974, pursuant to section 10 of the said Act, Chapter I-22, R.S.C., 1970.

Report of the Department of Manpower and Immigration for the fiscal year ended March 31, 1974, pursuant to section 5 of the *Department of Manpower and Immigration Act*, Chapter M-1, R.S.C., 1970.

Copies of Report, dated August 16, 1974, issued by the Department of Transport and entitled *The Elements of an International Shipping Policy for Canada*.

Copies of English text of Report of the Airport Inquiry Commission appointed by Order in Council P.C. 1973-3026, dated October 5, 1973, pursuant to Part I of the *Inquiries Act*, together with French text of Chapters III and V of the said Report.

Report of the Department of Communications for the fiscal year ended March 31, 1974, pursuant to section 6 of the *Department of Communications Act*, Chapter C-24, R.S.C., 1970.

Copies of a document entitled *The Constitutional Review 1968-1971*, dated April 14, 1972.

Copies of the Green Paper on Immigration Policy in four volumes, together with Statement thereon by the Minister of Manpower and Immigration dated February 3, 1975.

With leave of the Senate,
The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the name of the Honourable Senator Sullivan be substituted for that of the Honourable Senator Choquette on the list of Senators serving on the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Smith, for the second reading of the Bill C-39, intituled: "An Act to amend the Customs Tariff, (No. 2)".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Cook moved, seconded by the Honourable Senator Inman, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-40, intituled: "An Act to amend the Excise Tax Act and the Excise Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-29, intituled: "An Act respecting Canadian business corporations", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work

ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Hayden,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



23 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 45

Wednesday, 5th February, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Davey,	Gélinas,	Langlois,	Norrie,
Basha,	Denis,	Giguère,	Lapointe,	O'Leary,
Beaubien,	Deschatelets,	Godfrey,	Lefrançois,	Perrault,
Bélisle,	Desruisseaux,	Goldenberg,	Macdonald,	Petten,
Blois,	Everett,	Graham,	Macnaughton,	Prowse,
Boucher,	Fergusson,	Grosart,	Manning,	Quart,
Bourget,	Flynn,	Hastings,	McDonald,	Riley,
Cameron,	Forsey,	Hayden,	McGrand,	Robichaud,
Carter,	Fournier	Hicks,	McIlraith,	Rowe,
Connolly	(<i>de Lanaudière</i>),	Inman,	McNamara,	Smith,
(<i>Ottawa West</i>),	Fournier	Lafond,	Michaud,	Walker,
Cook,	(<i>Restigouche-</i>	Laird,	Molson,	Williams,
Cottreau,	<i>Gloucester</i>),	Lamontagne,	Neiman,	Yuzyk.
Croll,				

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Annual Report to the Governments of the United States and Canada by the Columbia River Treaty Permanent Engineering Board for the period October 1, 1973 to September 30, 1974. (English text).

Reports of the Department of Veterans Affairs and of the Canadian Pension Commission for the fiscal year ended March 31, 1974, pursuant to section 8 of the *Department of Veterans Affairs Act*, Chapter V-1, and section 4(2) of the *Pension Act*, Chapter P-7, R.S.C., 1970, including reports of the Pension Review Board, the War Veterans Allowance Board and the Bureau of Pensions Advocates for the same period.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-39, intituled: "An Act to amend the Customs Tariff, (No. 2)", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Cook moved, seconded by the Honourable Senator Connolly, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill C-40, intituled: "An Act to amend the Excise Tax Act and the Excise Act", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate

on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Deschatelets, P.C., called the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Hicks, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 46

Thursday, 6th February, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,
Connolly
(Ottawa West),

Cook,
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Gélinas,
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hastings,
Hicks,
Inman,
Lafond,

Laird,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
McDonald,
McElman,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,

Norrie,
O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Riley,
Robichaud,
Rowe,
Smith,
Thompson,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, February 4, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Dinsdale has been substituted for that of Mr. Towers on the list of members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Flynn, P.C., presented to the Senate a Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments".

The Bill was read the first time.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the Bill be placed on the Orders of the Day for a second reading on Tuesday, 18th February, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Legal and Constitutional Affairs have power to sit while the Senate is sitting on Wednesday next, 12th February, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting on Wednesday next, 12th February, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 11th February, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Inman, that the Bill C-39, intituled: "An Act to amend the Customs Tariff, (No. 2)", be read the third time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Macnaughton, P.C., seconded by the Honourable Senator Fournier (*de Lanaudière*), for the second reading of the Bill C-40, intituled: "An Act to amend the Excise Tax Act and the Excise Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic" in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 47

Tuesday, 11th February, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Boucher,
Bourget,
Carter,
Connolly
(Ottawa West),
Cook,
Cottreau,

Croll,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Gélinas,
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Hicks,
Inman,
Lafond,
Laird,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McNamara,
Michaud,
Molson,
Neiman,

Norrie,
O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Riley,
Smith,
Sparrow,
Thompson,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report relating to warrants issued under the *Official Secrets Act* for the period July 1, 1974 to December 31, 1974, pursuant to section 16(5) of the said Act, as amended by section 6 of the *Protection of Privacy Act*, Chapter 50, Statutes of Canada, 1973-74.

Report relating to authorizations and interceptions under the *Criminal Code* for the period July 1, 1974 to December 31, 1974, pursuant to section 178.22 of the said Code, as amended by section 2 of the *Protection of Privacy Act*, Chapter 50, Statutes of Canada, 1973-74.

Report of the Fitness and Amateur Sport Directorate for the fiscal year ended March 31, 1974, pursuant to section 13 of the *Fitness and Amateur Sport Act*, Chapter F-25, R.S.C., 1970.

Copies of (a) the Federal Government's In-House Energy Conservation Program, dated February 6, 1975 and (b) Energy Conservation Proposals, together with text of Statement thereon by the Minister of Energy, Mines and Resources.

Report of the Freshwater Fish Marketing Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended April 30, 1974, pursuant to section 33 of the *Freshwater Fish Marketing Act*, Chapter F-13, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Pursuant to Rule 33,

The Honourable Senator Molson moved, seconded by the Honourable Senator Macdonald:

That the Senate do approve the decision of the Standing Senate Committee on Legal and Constitutional Affairs to permit the televising of certain of its proceedings on an experimental basis only.

After debate,

The Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Croll, that further debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Macdonald, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative, on division.

A Message was brought from the House of Commons by their Clerk with a Bill C-370, intituled: "An Act to amend the Electoral Boundaries Readjustment Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Petten moved, seconded by the Honourable Senator Sparrow, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 13th February, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Inman, for the third reading of the Bill C-39, intituled: "An Act to amend the Customs Tariff, (No. 2)".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Macnaughton, P.C., seconded by the Honourable Senator Fournier (*de Lanaudière*), for the second reading of the Bill C-40, intituled: "An Act to amend the Excise Tax Act and the Excise Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the anatomy of a special Senate Committee report, and in particular to

(a) its evaluation,

(b) its beneficial results, and

(c) as a follow-up, to a suggested future course of action for the Senate.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Croll resumed the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the status of the "work ethic"

in Canada today, and the need for the establishment of a Senate Committee to examine and report thereon.

Debated.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 48

Wednesday, 12th February, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Boucher,
Bourget,
Carter,
Connolly
(Ottawa West),
Cook,
Cottreau,
Croll,

Davey,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Everett,
Fergusson,
Flynn,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Gélinas,
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Heath,
Inman,
Lafond,
Laird,
Lamontagne,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McNamara,
Michaud,
Molson,
Neiman,
Norrie,

O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Riley,
Robichaud,
Smith,
Sparrow,
Thompson,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of proposed amendments to Bill C-49, *An Act to amend the statute law relating to income tax*, issued by the Department of Finance.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Macnaughton, P.C., seconded by the Honourable Senator Fournier (*de Lanaudière*), for the second reading of the Bill C-40, intituled: "An Act to amend the Excise Tax Act and the Excise Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Macdonald:

That the Senate do approve the decision of the Standing Senate Committee on Legal and Constitutional Affairs to permit the televising of certain of its proceedings on an experimental basis only.

After debate,

The Honourable Senator Croll moved, seconded by the Honourable Senator Benidickson, P.C., that further debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Macdonald, be adjourned until Tuesday next, 18th February, 1975.

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Hayden,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 49

Thursday, 13th February, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,
Basha,
Beaubien,
Bélisle,
Boucher,
Bourget,
Carter,
Connolly
(Ottawa West),
Cook,
Cottreau,
Croll,
Davey,

Denis,
Deschatelets,
Desruisseaux,
Eudes,
Everett,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Heath,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Manning,
McDonald,
McElman,
McGrand,
McNamara,
Michaud,
Molgat,
Neiman,
Norrie,
O'Leary,

Perrault,
Petten,
Prowse,
Quart,
Riel,
Riley,
Robichaud,
Smith,
Sparrow,
Thompson,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on operations under the *Clean Air Act* for the fiscal year ended March 31, 1974, pursuant to section 41 of the said Act, Chapter 47, Statutes of Canada, 1970-71-72.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 18th February, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, February 13, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade and Commerce for the proposed expenditures of the said Committee, with respect to its study of any Bill based on the Budget Resolutions relating to Income Tax in advance of any such Bill coming before the Senate, or any matter relating thereto, authorized by the Senate on the 21st November, 1974. The said budget is as follows:

Professional and Special Services	\$18,225
Transportation and Communications	3,820
Information—Printing	37,372
All Other Expenditures	7,700
	<hr/>
	\$67,117

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, February 13, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the

budget presented to it by the Joint Chairman of the Special Joint Committee of the Senate and House of Commons on Employer-Employee Relations in the Public Service for the proposed expenditures of the said Special Joint Committee with respect to its consideration and recommendations upon Parts I, II and III of the paper entitled "Employer-Employee Relations in the Public Service of Canada", prepared by the Chairman of the Public Service Staff Relations Board, authorized by the Senate on the 14th November, 1974. The said budget is as follows:

Professional and Special Services	\$18,900
Transportation and Communications	5,905
All Other Expenditures	3,150
	<hr/>
	\$27,955

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, February 13, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on National Finance for the proposed expenditures of the said Committee on National Finance with respect to its examination and consideration of such legislation and other matters as may be referred to it, authorized by the Senate on the 5th December, 1974. The said budget is as follows:

Professional and Special Services	\$31,500
Information—Printing	20,000
Other Expenditures	6,000
	<hr/>
	\$57,500

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, February 13, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Joint Chairman of the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments for the proposed expenditures of the said Standing Joint Committee with respect to its review and scrutiny of statutory instruments pursuant to the report adopted

by the Senate on 29th October, 1974. The said budget is as follows:

Professional and Special Services	\$16,000
All Other Expenditures	700
	<hr/>
	\$16,700
Respectfully submitted,	
	KEITH LAIRD, Chairman.

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to incur special expenses for the payment of fees and travelling expenses of expert witnesses in connection with its examination of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code."

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Molgat moved, seconded by the Honourable Senator Laird, that the Bill C-370, intituled: "An Act to amend the Electoral Boundaries Readjustment Act", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Robichaud, P.C., moved, seconded by the Honourable Senator Eudes, that the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)", be read the second time.

After debate,

The Honourable Senator Bélisle moved, seconded by the Honourable Senator Quart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschêlets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 50

Tuesday, 18th February, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Connolly	Fournier	Langlois,	Perrault,
Asselin,	(Ottawa West),	(Restigouche-	Lapointe,	Petten,
Barrow,	Cook,	Gloucester),	Lefrançois,	Prowse,
Basha,	Cottreau,	Gélinas,	Macdonald,	Quart,
Beaubien,	Croll,	Giguère,	Macnaughton,	Rowe,
Bélisle,	Denis,	Godfrey,	Manning,	Smith,
Benidickson,	Desruisseaux,	Goldenberg,	McDonald,	Sparrow,
Bonnell,	Eudes,	Graham,	McElman,	Stanbury,
Boucher,	Everett,	Grosart,	McGrand,	Thompson,
Bourget,	Fergusson,	Hayden,	McNamara,	van Roggen,
Buckwold,	Flynn,	Hicks,	Michaud,	Walker,
Cameron,	Forsey,	Lafond,	Molgat,	Williams,
Carter,	Fournier	Laird,	Neiman,	Yuzyk.
	(de Lanaudière),	Lamontagne,	Norrie,	

PRAYERS.

Tribute was paid to the memory of the Honourable Senator Laing, P.C., whose death occurred February 13, 1975.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, February 12, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Baker (Gander-Twillingate) has been substituted for that of Mr. Fox on the list of members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, February 13, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Francis has been substituted for that of Mr. Olivier on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, February 13, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Leggatt has been substituted for that of Mr. Gilbert on the list of Members appointed to serve on the Standing Joint Committee on the Restaurant of Parliament.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill S-18, intituled: "An Act respecting International Air Transport Association",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of a contract between the Government of Canada and the Municipality of Oxford, Nova Scotia, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

Copies of International Convention to Facilitate the Importation of Commercial Samples and Advertising Material. Done at Geneva, November 7, 1952. In force November 20, 1955. In force in Canada July 12, 1974.

Copies of Vienna Convention on Consular Relations. Done at Vienna, April 24, 1963. In force for Canada August 16, 1974.

Copies of Customs Convention on the Temporary Importation of Scientific Equipment. Done at Brussels, June 11, 1968. In force for Canada October 24, 1974.

Copies of Notes exchanged between the Governments of Canada and the United States of America for the use of Certain Communication Facilities at the Pinetree Radar Site at Hopedale, Labrador, by the Department of Transport. Ottawa, June 11, September 19, 1969 and February 24, 1970. In force February 24, 1970.

Copies of Agreement between the Government of Canada and the Government of the Republic of Kenya for the Training in Canada of Personnel of the Armed Forces of the Republic of Kenya. Done at Nairobi, April 29, 1971. In force April 29, 1971.

Copies of Agreement between the Government of Canada and the Government of the Socialist Republic of Romania concerning the settlement of Outstanding Financial Problems. Done at Ottawa, July 13, 1971. In force December 14, 1971.

Copies of Trade Agreement between the Governments of Canada and the Republic of Tunisia. Tunis, August 8, 1972. In force August 8, 1972.

Copies of International Sugar Agreement, 1973. Done at Geneva, October 13, 1973. In force for Canada October 15, 1974.

Copies of Notes exchanged between the Governments of Canada and the United States of Mexico constituting an Agreement for the avoidance of double taxation of income derived from the operation of ships or aircraft in International Traffic. Mexico, D.F. and Tlatelolco, D.F., January 29, 1974. In force January 29, 1974.

Copies of Technical Cooperation Agreement between the Government of Canada and the Revolutionary Government of the Republic of Cuba. Havana, February 8, 1974. In force February 8, 1974.

Copies of Notes exchanged between the Governments of Canada and Morocco constituting an Agreement relating to Canadian Investments in Morocco insured by the Government of Canada through its Agent the Export Development Corporation. Ottawa and Rabat, Morocco, November 30, 1973 and March 12, 1974. In force March 12, 1974.

Copies of Notes exchanged between the Governments of Canada and Australia modifying the Air Services Agreement of June 11, 1946. Canberra, March 15, 1974. In force March 15, 1974.

Copies of Agreement between the Government of Canada and the Inter-American Development Bank for the provision of funds for a Special Program for financing the Preparation of Development Projects. Washington, March 22, 1974. In force March 22, 1974.

Copies of Loan Agreement between the Government of Canada and the Andean Development Corporation for Pre-Investment Studies of Industrial Development Projects. Caracas, March 29, 1974. In force March 29, 1974.

Copies of Air Transport Agreement between the Government of Canada and the Government of Fiji. Suva, Fiji, April 30, 1974. In force April 30, 1974.

Copies of Nonscheduled Air Service Agreement between the Government of Canada and the Government of the United States of America (with Exchange of Notes). Ottawa, May 8, 1974. In force May 8, 1974.

Copies of Agreement between the Government of Canada and the Government of the United States of America on Air Transport Preclearance. Ottawa, May 8, 1974. In force May 8, 1974.

Copies of Notes exchanged between the Government of Canada and the Government of the United States of America amending the Air Transport Agreement between the two countries of January 17, 1966 (with Supplementary Exchange). Ottawa, May 8, 1974. In force May 8, 1974.

Copies of Notes exchanged between the Government of Canada and the Government of the United States of America concerning a Joint Marine Pollution Contingency Plan. Ottawa, June 19, 1974. In force June 19, 1974.

Copies of Notes exchanged between the Governments of Canada and the Republic of Korea constituting an Agreement for the avoidance of double taxation of income derived from the operation of ships or aircraft in International Traffic. Ottawa, November 15, 1974. In force November 15, 1974.

Copies of letters, dated December 5, 1973 and January 24, 1975, addressed by the Minister of Finance to various oil companies, relating to the Syncrude Project. (English text).

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting tomorrow, Wednesday, 19th February, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Molgat, seconded by the Honourable Senator Laird, for the second reading of the Bill C-370, intituled: "An Act to amend the Electoral Boundaries Readjustment Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Molgat moved, seconded by the Honourable Senator Gélinas, that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Macdonald:

That the Senate do approve the decision of the Standing Senate Committee on Legal and Constitutional Affairs to permit the televising of certain of its proceedings on an experimental basis only,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police

Force and to the ever-increasing costs of maintaining the various police forces in Canada.

After debate,

The Honourable Senator Desruisseaux moved, seconded by the Honourable Senator Eudes, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 51

Wednesday, 19th February, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lamontagne,	Norrie,
Asselin,	Côté,	(<i>Restigouche-</i>	Langlois,	Perrault,
Barrow,	Cottreau,	<i>Gloucester</i>),	Lapointe,	Petten,
Basha,	Croll,	Gélinas,	Lefrançois,	Prowse,
Bélisle,	Davey,	Giguère,	Macdonald,	Quart,
Benidickson,	Denis,	Godfrey,	Macnaughton,	Rowe,
Bonnell,	Eudes,	Goldenberg,	Manning,	Smith,
Boucher,	Everett,	Graham,	McDonald,	Sparrow,
Bourget,	Fergusson,	Grosart,	McElman,	Stanbury,
Buckwold,	Flynn,	Hayden,	McGrand,	Thompson,
Cameron,	Forsey,	Hicks,	McNamara,	Walker,
Carter,	Fournier	Inman,	Michaud,	van Roggen,
Connolly	(<i>de Lanaudière</i>),	Lafond,	Molgat,	Williams,
(<i>Ottawa West</i>),		Laird,	Neiman,	Yuzyk.

PRAYERS.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Legal and Constitutional Affairs have power to sit while the Senate is sitting on Wednesday next, 26th February, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator McElman resumed the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Macdonald:

That the Senate do approve the decision of the Standing Senate Committee on Legal and Constitutional Affairs to permit the televising of certain of its proceedings on an experimental basis only.

After debate,

In amendment, the Honourable Senator McElman moved, seconded by the Honourable Senator Thompson:

That the motion be not now adopted but that it be amended by striking out all the words after "That the Senate do" and substituting therefor the following:

"empower the Standing Senate Committee on Legal and Constitutional Affairs to permit electronic broadcasting of certain of its proceedings, at the discretion of the Committee, on an experimental basis only, while the Committee has under consideration Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code", it being clearly understood that precedent will not be thereby established for such electronic broadcasting of future proceedings of this or any other Committee of the Senate.

After debate, and

The question being put on the motion in amendment, it was—

Resolved in the affirmative, on division.

The question being put on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Macdonald, as amended, it was—

Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 52

Thursday, 20th February, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Boucher,
Bourget,
Buckwold,
Cameron,
Carter,

Connolly
(*Ottawa West*),
Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Eudes,
Everett,
Fergusson,
Flynn,

Fournier
(*de Lanaudière*),
Gélinas,
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hicks,
Inman,
Lafond,
Laird,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
McDonald,
McElman,
McGrand,
McNamara,
Michand,
Molgat,
Neiman,
Norrie,

O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Robichaud,
Rowe,
Smith,
Sparrow,
Thompson,
van Roggen,
Walker,
Williams.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, February 18, 1975

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Alexander has been substituted for that of Mr. McCleave on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of a Report entitled "Towards a Mineral Policy for Canada—Opportunities for Choice", dated 1974.

Estimates for the fiscal year ending March 31, 1976.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill C-370, intituled: "An Act to amend the Electoral Boundaries Readjustment Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Goldenberg moved, seconded by the Honourable Senator Gélinas, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending the 31st March, 1976, in advance of bills based upon the said Estimates reaching the Senate.

After debate, and
The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the names of the Honourable Senators Cook and Stanbury be substituted for those of the Honourable Senators Neiman and Riel on the list of Senators serving on the Special Joint Committee on Employer-Employee Relations in the Public Service; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 25th February, 1975, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Hicks resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,
The Honourable Senator Bélisle moved, seconded by the Honourable Senator Lafond, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal govern-

ment with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 53

Tuesday, 25th February, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cottreau,	Giguère,	Lawson,	Paterson,
Asselin,	Croll,	Godfrey,	Lefrançois,	Perrault,
Barrow,	Davey,	Goldenberg,	Macdonald,	Petten,
Basha,	Denis,	Graham,	Macnaughton,	Prowse,
Beaubien,	Desruisseaux,	Grosart,	Manning,	Quart,
Bélisle,	Duggan,	Hayden,	McDonald,	Robichaud,
Benidickson,	Eudes,	Heath,	McElman,	Rowe,
Boucher,	Fergusson,	Hicks,	McGrand,	Sparrow,
Bourget,	Flynn,	Inman,	McNamara,	Stanbury,
Buckwold,	Forsey,	Lafond,	Michaud,	Thompson,
Cameron,	Fournier	Laird,	Molgat,	van Roggen,
Carter,	(<i>de Lanaudière</i>),	Lamontagne,	Neiman,	Williams,
Cook,	Fournier	Langlois,	Norrie,	Yuzyk.
Côté,	(<i>Restigouche- Gloucester</i>),	Lapointe,	O'Leary,	

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Lists of shareholders in the Chartered Banks of Canada as at the end of the financial years ended in 1974, pursuant to section 119(1) of the *Bank Act*, Chapter B-1, R.S.C., 1970.

List of shareholders in the Montreal City and District Savings Bank as at October 31, 1974, pursuant to section 101(1) of the *Quebec Savings Banks Act*, Chapter B-4, R.S.C., 1970.

Report of the Ministry of State for Urban Affairs for the fiscal year ended March 31, 1974, pursuant to section 22 of the *Ministries and Ministers of State Act*, Part IV of Chapter 42, Statutes of Canada, 1970-71-72.

Copies of Statement made by the Minister of Transport on February 20, 1975, respecting the new Toronto International Airport at Pickering.

Report on operations under the *Regional Development Incentives Act* for the month of November 1974, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking Trade and Commerce have power to sit while the Senate is sitting tomorrow, Wednesday, 26th February, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Goldenberg moved, seconded by the Honourable Senator Prowse, that the Bill C-370, intituled: "An Act to amend the Electoral Boundaries Readjustment Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

The Honourable Senator Heath moved, seconded by the Honourable Senator Forsey, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 54

Wednesday, 26th February, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Croll,	Giguère,	Lapointe,	O'Leary,
Asselin,	Davey,	Godfrey,	Lawson,	Paterson,
Barrow,	Denis,	Goldenberg,	Lefrançois,	Perrault,
Basha,	Desruisseaux,	Graham,	Macdonald,	Petten,
Beaubien,	Eudes,	Grosart,	Macnaughton,	Prowse,
Bélisle,	Everett,	Hayden,	Manning,	Quart,
Benidickson,	Fergusson,	Hays,	McDonald,	Robichaud,
Boucher,	Flynn,	Heath,	McElman,	Rowe,
Bourget,	Forsey,	Hicks,	McGrand,	Sparrow,
Buckwold,	Fournier	Inman,	McNamara,	Stanbury,
Carter,	(<i>de Lanaudière</i>),	Lafond,	Michaud,	Thompson,
Cook,	Fournier	Laird,	Molgat,	van Roggen,
Côté,	(<i>Restigouche-</i>	Lamontagne,	Neiman,	Williams,
Cottreau,	<i>Gloucester</i>),	Langlois,	Norrie,	Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, February 25, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Fraser has been substituted for that of Mr. Dinsdale on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-40, intituled: "An Act to amend the Excise Tax Act and the Excise Act", presented the following Report:—

WEDNESDAY, February 26, 1975.

The Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-40, intituled "An Act to amend the Excise Tax Act and the Excise Act", has in obedience to the order of reference of Wednesday February 12, 1975, examined the said Bill and now reports the same without amendment.

Your Committee, however, considers it important that the following observations be made.

It appears that some unlicensed wholesalers of construction type equipment have been refused sales tax refunds although the Government has seen fit to grant such refunds for the distributors of transportation equipment who are in an identical position. As well, such wholesalers are unlicensed for sales tax purposes, which means they must pay sales tax on the importation or purchase of such construction type equipment, whereas competitors who are licensed for sales tax purposes pay such tax only at the time of the sale of such equipment. This situation arises in the administration of the sales tax by reason of the fact that competitors, who can show that at least 50% of their business over a specified period has been with tax exempt end users, have an advantage.

The result of being in the position of unlicensed wholesalers because they cannot meet the above test is that on Budget night, November 18, 1974, these unlicensed wholesalers had substantial tax-paid inventories for which the sales tax could not be recovered from customers when on that night such construction type equipment became exempt from sales tax. Their competition, namely licensed wholesalers, had little or no tax-paid inventory on hand.

To be competitive, these unlicensed wholesalers must absorb the amount of tax or lose substantial sales.

Your Committee considered that it did not have clear authority to amend the Bill being reported on to correct this situation. However, your Committee considered that this situation should be called to the attention of the Senate.

Your Committee further considers that the same relief should be granted to those unlicensed wholesalers as was extended to the distributors of transportation equipment.

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.

With leave of the Senate,

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

The Honourable Senator Petten for the Honourable Senator Michaud moved, seconded by the Honourable Senator Carter, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Quart, that the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments", be read the second time.

After debate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that further

debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force

and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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No. 55

Thursday, 27th February, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Boucher,
Bourget,
Buckwold,
Carter,
Cook,
Côté,
Cottreau,

Denis,
Desruisseaux,
Duggan,
Eudes,
Fergusson,
Flynn,
Forsey,
Fournier
(*Restigouche-
Gloucester*),
Giguère,
Godfrey,

Goldenberg,
Graham,
Grosart,
Hayden,
Hays,
Heath,
Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,

Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McNamara,
Michaud,
Molgat,
Neiman,

Norrie,
Perrault,
Petten,
Prowse,
Quart,
Rowe,
Sparrow,
Stanbury,
Thompson,
Williams,
Yuzyk.

PRAYERS.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE
OTTAWA

FEBRUARY 27, 1975

Madam,

I have the honour to inform you that the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity of Deputy Governor General, will proceed to the Senate Chamber to-day, the 27th day of February at 5.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,

Madam,

Your obedient servant,

ANDRÉ GARNEAU

Brigadier General,

Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Reports respecting receipts and expenditures under Part V (Sick Mariners) of the *Canada Shipping Act* for the fiscal years ended March 31, 1973 and 1974, pursuant to section 306 of the said Act, Chapter S-9, R.S.C., 1970. *Nil Return.*

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill S-20, intituled: "An Act to amend the Territorial Lands Act", reported that it had examined the said Bill and had directed him to report the same to the Senate with one amendment.

The amendment was then read by the Clerk Assistant as follows:—

Page 1: In the French version strike out lines 7 and 8 and substitute therefor the following:

"24. (1) Un fonctionnaire ou employé du gouvernement du Canada, ou en relevant, ne peut, directe- "

With leave of the Senate,

The Honourable Senator Goldenberg moved, seconded by the Honourable Senator Prowse, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Goldenberg moved, seconded by the Honourable Senator Prowse, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Legal and Constitutional Affairs have power to sit while the Senate is sitting on Wednesday next, 5th March, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 4th March, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

The Honourable Senator Flynn, P.C., for the Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the

second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 2.45 p.m.

The sitting of the Senate was resumed. 5.45 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Right Honourable the Deputy of His Excellency the Governor General, it was,—

Resolved in the affirmative.

After awhile, the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Right Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to amend the Customs Tariff, (No. 2)

An Act to amend the Excise Tax Act and the Excise Act

An Act to amend the Electoral Boundaries Readjustment Act

An Act respecting International Air Transport Association.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Right Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Right Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Petten moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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No. 56

Tuesday, 4th March, 1975

8.00 o'clock p.m.

The Honourable MURIEL McQUEEN FERGUSON, P.C.,
Speaker *pro tem.*

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Hicks,	McIlraith,
Asselin,	Cottreau,	(<i>de Lanaudière</i>),	Inman,	McNamara,
Basha,	Croll,	Fournier	Lafond,	Neiman,
Bélisle,	Davey,	(<i>Restigouche-</i>	Laird,	O'Leary,
Benidickson,	Denis,	<i>Gloucester</i>),	Lamontagne,	Prowse,
Bourget,	Desruisseaux,	Giguère,	Langlois,	Quart,
Cameron,	Duggan,	Godfrey,	Lefrançois,	Riley,
Carter,	Eudes,	Goldenberg,	Macdonald,	Robichaud,
Choquette,	Fergusson,	Graham,	Macnaughton,	Sparrow,
Connolly	Flynn,	Grosart,	McDonald,	Sullivan,
(<i>Ottawa West</i>),	Forsey,	Hayden,	McGrand,	van Roggen,

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Grosart:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Fergusson, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative

Whereupon the Honourable Senator Fergusson, P.C., took the Chair.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, February 26, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Dinsdale has been substituted for that of Mr. Fraser on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, February 27, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Fraser and Isabelle have been substituted for those of Messrs. Alexander and Clermont on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, February 28, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Clermont has been substituted for that of Mr. Isabelle on the list of

Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-49, intituled: "An Act to amend the statute law relating to income tax", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-51, intituled: "An Act to increase the representation of the Northwest Territories in the House of Commons and to establish a commission to readjust the electoral boundaries of the Northwest Territories", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-10, intituled: "An Act to amend the Prairie Grain Advance Payments Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-43, intituled: "An Act to

amend the Law Reform Commission Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk to return the Bill S-6, intituled: "An Act to amend the Canadian Wheat Board Act",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-228, intituled: "An Act respecting the Electoral Boundaries Readjustment Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-229, intituled: "An Act respecting the Electoral Boundaries Readjustment Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-365, intituled: "An Act respecting the Electoral Boundaries Readjustment Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, March 3, 1975.

Resolved,—That a Special Joint Committee of the Senate and of the House of Commons be appointed to consider the Green Paper on immigration policy tabled by the Minister of Manpower and Immigration in the House of Commons on February 3, 1975; and to invite the views of the public on the issues raised therein;

That 15 Members of the House of Commons to be designated at a later date be members on the part of this House on the Special Joint Committee;

That the Committee have power to appoint from among its Members such sub-committees as may be deemed advisable and necessary and to delegate to such sub-committees all or any of their powers except the power to report directly to the House;

That the Committee have power to sit during sittings and adjournments of the House of Commons;

That the Committee have power to send for persons, papers and records, and to examine witnesses and to print such papers and evidence from day to day as may be ordered by the Committee;

That the Committee have power to adjourn from place to place within Canada;

That the Committee be empowered to retain the services of advisers to assist in its work; and that it also be empowered to retain the professional, clerical and stenographic help as may be required;

That the Committee submit their report not later than July 31, 1975;

That the quorum of the Committee be 12 members, whenever a vote, resolution or other decision is taken, so long as both Houses are represented and that the Joint Chairmen be authorized to hold meetings, to receive evidence and authorize the printing thereof, when 6 members are present so long as both Houses are represented; and

Ordered,—That a Message be sent to the Senate requesting that House to unite with this House for the above purpose, and to select, if the Senate deems it to be advisable, Members to act on the proposed Special Joint Committee.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that the Message be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois laid on the Table the following:—

Report of temporary loans made to the Old Age Security Fund for the fiscal year ended March 31, 1974, pursuant to section 25(4) of the *Old Age Security Act*, Chapter O-6, R.S.C., 1970.

Report on the administration of the *Canada Pension Plan* for the fiscal year ended March 31, 1974, pursuant to section 118, Chapter C-5, R.S.C., 1970.

Supplementary Estimates (D) for the fiscal year ending March 31, 1975.

Copies of text of resolutions adopted by the House of Representatives of the Republic of Cyprus, January 16 and 23, 1975, relating to the Cyprus situation (English text).

The Honourable Senator Argue from the Standing Senate Committee on Agriculture presented the following Report:—

TUESDAY, March 4, 1975.

The Standing Senate Committee on Agriculture to which was referred Bill S-10, intituled: "An Act to amend the *Feeds Act*" has, in obedience to the order of reference of Wednesday, October 23rd, 1974, examined the said Bill and now reports the same with the following amendment:

1. (a) *Page 3*: Strike out line 1 and substitute therefore the following:

"10. (1) Every natural person who *contravenes*"

- (b) *Page 3*: Immediately after line 11 add the following:

"(1.1) Every corporation that *contravenes* any provision of this Act or the Regulations is guilty of an indictable offence.

(1.2) Where a corporation has been convicted of an offence under this Act, the chief executive officer of the corporation shall be presumed to be guilty of an offence under subsection 10(1) unless he establishes that the offence was committed without his knowledge or consent and that he exercised all due diligence to prevent its commission."

In addition, your Committee desires to make three recommendations arising out of its discussion of the bill and the briefs presented to it.

First, the question of whether dogs and cats should be defined as livestock for the purpose of regulating the manufacture of pet food was raised by the witnesses appearing before the Committee. The Canadian Feed Manufacturers' Association, which represents many pet food manufacturers, requested that the manufacture of pet foods be regulated under the *Feeds Act*. The Pet Food Manufacturers' Association of Canada expressed the opposite opinion in its written brief.

Two groups not associated with the manufacturing of pet foods, the Consumers' Association of Canada and the Canadian Veterinary Medical Association, expressed their concern about the quality of the product. It was brought to the Committee's attention that there are no required nutritional standards for pet food in Canada and that these products can contain dead or diseased animals or protein and other nutrients in non-digestible form. These products are only required to be correctly packaged, labelled, weighed and to be free of bacteria.

The pet food industry is of considerable size; gross sales in 1974 were over one hundred and twenty million dollars and growing at 10-20 per cent per annum. Pet owners are spending considerable sums on products, the nutritional quality of which your Committee believes to be irregular.

After considering the evidence presented to it, your Committee concluded that the problem of the nutritional quality of pet foods warranted further study. Your Committee therefore recommends:

That the government give serious consideration to regulation of the nutritional quality of pet foods for the protection of the consumers of these products, their owners, and the health of the population in general.

Second, your Committee investigated the question of whether the additional responsibilities that the Department of Agriculture will have as a result of Bill S-10 would decrease the capability of that department to carry out its current responsibilities under the *Feeds Act*. These additional duties include the inspection of "integrated feed manufacturing-livestock production" enterprises and of "customer formulae" mobile feed mills. The department could not supply information on the number of units of each type but they are significant. The mobile feed mills will be a special problem for inspectors simply because they are mobile.

The ability of the department to fulfill its current responsibilities appears to be stretched to the limit, with the result that inspections of manufacturers are infrequent. Each feed manufacturing location is inspected on an average of only ten times per annum. However, these infrequent inspections uncover a significant number of violations of the Act and regulations—4,650 in 1972-73 and 4,438 in 1973-74.

Your Committee is concerned that the purchasers of livestock feeds are not now receiving the protection they expect from the Act and that with the increase in duties the level of protection will decline. Your Committee has decided that the resolution of this problem can be initiated by two actions on its part. It has amended clause 3 of the bill to encourage corporations to be more concerned about their manufacturing processes and your Committee, as a second step, recommends:

That the government review the effectiveness of the feed inspection program and give serious consideration to increasing the inspection and technical staff in light of the new and more difficult responsibilities being given the Department of Agriculture.

Third, as the legislation extends the provisions of the *Feeds Act* to cover all feed manufactured in Canada, it will include many more manufacturers under the regulations. These newly regulated manufacturers will be, for the most part, farmers of both large and small scale. Your Committee and some of the witnesses that appeared before it, particularly the Consumers' Association of Canada, are concerned about the control of ingredients, especially medicaments, that are added to livestock feed, at both the farm and commercial levels.

These ingredients, which can have a considerable impact on animal and human health and on the environment, are regulated by both the *Feeds Act* and the *Food and Drugs Act*. However, your Committee is concerned that the technical information about these ingredients may not be reaching the farmer. Your Committee therefore recommends:

That the government, through the Department of Agriculture and in co-operation with the provincial departments of agriculture, undertake a campaign to disseminate in a suitable form the technical information concerning the use of these ingredients, especially medicaments.

Your Committee believes that such a campaign would benefit producers and consumers.

Your Committee met seven times to consider this bill and heard the following witnesses:

Mr. C. R. Phillips, Director General, Production and Marketing Branch, Department of Agriculture.

Mr. C. H. Jefferson, Director, Plant Products Division, Department of Agriculture.

Mr. C. L. Stevenson, Chief, Feed and Fertilizer Section, Department of Agriculture.

Mr. J. A. Scollin, Assistant Deputy Attorney General (Criminal Law), Department of Justice.

Mr. W. G. Johnson, Legislation Section, Department of Justice.

Mr. C. M. Bolger, Acting Assistant Deputy Minister, Department of Consumer and Corporate Affairs.

Mr. H. W. Wagner, Director, Consumer Fraud Protection Division, Department of Consumer and Corporate Affairs.

Dr. D. G. Chapman, Assistant Director General, Food Directorate, Department of National Health and Welfare.

Mr. D. Burvill, Compliance Office, Department of National Health and Welfare.

Mr. R. L. Gamelin, President, Canadian Feed Manufacturers' Association.

Mr. C. L. Friend, Executive Secretary, Canadian Feed Manufacturers' Association.

Mrs. Maryon Brechin, Past President, Consumers' Association of Canada.

Briefs were received from the Pet Food Manufacturers' Association of Canada and the Canadian Veterinary Medical Association.

Respectfully submitted.

HAZEN ARGUE,
Chairman.

The Honourable Senator Argue moved, seconded by the Honourable Senator McNamara, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart:

That the name of the Honourable Senator Choquette be substituted for that of the Honourable Senator Sullivan on the list of Senators serving on the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C.:

That the name of the Honourable Senator Macdonald be substituted for that of the Honourable Senator Blois on the list of Senators serving on the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Fournier (*de Lanaudière*):

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (D) laid before Parliament for the fiscal year ending the 31st March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

The Honourable Senator Langlois, for the Honourable Senator McElman, moved, seconded by the Honourable

Senator Bourget, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschate-

lets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 57

Wednesday, 5th March, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Laird,	Neiman,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Lamontagne,	Norrie,
Basha,	Croll,	<i>Gloucester</i>),	Langlois,	O'Leary,
Beaubien,	Davey,	Giguère,	Lapointe,	Paterson,
Bélisle,	Denis,	Godfrey,	Lefrançois,	Petten,
Benidickson,	Desruisseaux,	Goldenberg,	Macdonald,	Prowse,
Bourget,	Duggan,	Graham,	Macnaughton,	Quart,
Buckwold,	Eudes,	Grosart,	McDonald,	Robichaud,
Cameron,	Fergusson,	Hayden,	McGrand,	Sparrow,
Carter,	Flynn,	Hicks,	McIlraith,	Stanbury,
Choquette,	Forsey,	Inman,	McNamara,	Williams,
Connolly	Fournier	Lafond,	Molgat,	Yuzyk.
(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),			

PRAYERS.

The Honourable Senator Langlois laid on the Table the following:—

Copies of a contract between the Government of Canada and the Municipality of Cap-Pelé, New Brunswick, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (French text).

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Agriculture on the Bill S-10, intituled: "An Act to amend the Feeds Act".

The Honourable Senator Argue moved, seconded by the Honourable Senator O'Leary, that the Report be adopted now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Argue moved, seconded by the Honourable Senator O'Leary, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Message from the House of

Commons requesting that a Special Joint Committee of the Senate and House of Commons be appointed to consider the Green Paper on immigration policy.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That the Senate do unite with the House of Commons in the appointment of a Special Joint Committee of both Houses of Parliament to consider the Green Paper on immigration policy tabled by the Leader of the Government in the Senate on February 4, 1975; and to invite the views of the public on the issues raised therein;

That eight Members of the Senate, to be designated at a later date, act on behalf of the Senate as members of the said Special Joint Committee;

That the Committee have power to appoint from among its members such sub-committees as may be deemed advisable and necessary and to delegate to such sub-committees all or any of its powers except the power to report directly to the Senate;

That the Committee have power to send for persons, papers and records, to examine witnesses and to print such papers and evidence from day to day as may be ordered by the Committee;

That the Committee have power to adjourn from place to place within Canada;

That the Committee be empowered to retain the services of advisers to assist in its work; and that it also be empowered to retain such professional, clerical and stenographic help as may be required;

That the Committee submit its report not later than July 31, 1975;

That the quorum of the Committee be twelve members, whenever a vote, resolution or other decision is taken, so long as both Houses are represented and that the Joint Chairmen be authorized to hold meetings, to receive evidence and authorize the printing thereof, when six members are present so long as both Houses are represented; and

That a Message be sent to the House of Commons to inform that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal govern-

ment with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn,

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 58

Thursday, 6th March, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Laird,	Neiman,
Asselin,	Cottreau,	(Restigouche-	Lamontagne,	Norrie,
Basha,	Croll,	Gloucester),	Langlois,	O'Leary,
Beaubien,	Denis,	Giguère,	Lapointe,	Paterson,
Bélisle,	Desruisseaux,	Godfrey,	Lefrançois,	Petten,
Benidickson,	Duggan,	Goldenberg,	Macdonald,	Prowse,
Bourget,	Eudes,	Graham,	Macnaughton,	Quart,
Buckwold,	Fergusson,	Grosart,	McDonald,	Robichaud,
Cameron,	Flynn,	Hayden,	McGrand,	Sparrow,
Carter,	Fournier	Hicks,	McIlraith,	Stanbury,
Choquette,	(de Lanaudière),	Inman,	McNamara,	van Roggen,
Connolly		Lafond,	Molgat,	Williams,
(Ottawa West),				Yuzyk.

PRAYERS.

The Honourable Senator Langlois laid on the Table the following:

Report of operations under the *Export and Import Permits Act* for the year ended December 31, 1974, pursuant to section 26 of the said Act, Chapter E-17, R.S.C. 1970.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 10th March, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Argue moved, seconded by the Honourable Senator O'Leary, that the Bill S-10, intituled: "An Act to amend the Feeds Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called for the second reading of the Bill C-49, intituled: "An Act to amend the statute law relating to income tax",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Prowse moved, seconded by the Honourable Senator Côtteau, that the Bill C-51, intituled: "An Act to increase the representation of the Northwest Territories in the House of Commons and to establish a commission to readjust the electoral boundaries of the Northwest Territories", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Fergusson, P.C., that the Bill C-10, intituled: "An Act to amend the Prairie Grain Advance Payments Act", be read the second time.

After debate,

The Honourable Senator Yuzyk moved, seconded by the Honourable Senator Bélisle, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Buckwold, that the Bill C-228, intituled: "An Act respecting the Electoral Boundaries Readjustment Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Buckwold, that the Bill be placed on the Orders of the Day for third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill C-229, intituled: "An Act respecting the Electoral Boundaries Readjustment Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Fournier (*de Lanaudière*) moved, seconded by the Honourable Senator Denis, P.C., that the Bill C-365, intituled: "An Act respecting the Electoral Boundaries Readjustment Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Fournier (*de Lanaudière*) moved, seconded by the Honourable Senator Denis, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the sec-

ond reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

After debate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 59

Monday, 10th March, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Connolly	Forsey,	Langlois,	Norrie,
Basha,	(Ottawa West),	Fournier	Lapointe,	O'Leary,
Beaubien,	Cook,	(de Lanaudière),	Macdonald,	Paterson,
Bélisle,	Côté,	Grosart,	Macnaughton,	Perrault,
Benidickson,	Cottreau,	Hayden,	McDonald,	Petten,
Bourget,	Croll,	Hays,	McGrand,	Prowse,
Buckwold,	Denis,	Heath,	McIlraith,	Riley,
Burchill,	Desruisseaux,	Inman,	McNamara,	Robichaud,
Cameron,	Duggan,	Lafond,	Molgat,	Rowe,
Carter,	Eudes,	Laird,	Molson,	Sparrow,
Choquette,	Flynn,	Lamontagne,	Neiman,	Sullivan,
				Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of News Release, dated March 6, 1975, relating to statement made by the Minister of Industry, Trade and Commerce on the primary textile industry.

Report of the Textile and Clothing Board, dated January 22, 1975, relative to an inquiry respecting sheets and pillowcases, pursuant to section 9 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72.

Report of the Textile and Clothing Board, dated February 6, 1975, to the Minister of Industry, Trade and Commerce, pursuant to section 19 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting broadwoven fabrics of filament nylon, broadwoven fabrics of filament polyester and double-knit and warp-knit fabrics.

Report of the Textile and Clothing Board, dated February 14, 1975, relative to an inquiry respecting polyester filament yarn, pursuant to section 9 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72.

Report of the Textile and Clothing Board, dated February 14, 1975, relative to an inquiry respecting worsted fabrics, pursuant to section 9 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72.

Report of the Textile and Clothing Board, dated February 14, 1975, relative to an inquiry respecting polyester-cotton fabrics, pursuant to section 9 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72.

Copies of a statement showing the proposed initial prices for wheat, barley and oats for the next crop year, issued by the Minister responsible for The Canadian Wheat Board.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Molgat, that the Bill C-228, intituled: "An Act respecting the Electoral Boundaries Readjustment Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-229, intituled: "An

Act respecting the Electoral Boundaries Readjustment Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Fournier (*de Lanaudière*) moved, seconded by the Honourable Senator Côté, P.C., that the Bill C-365, intituled: "An Act respecting the Electoral Boundaries Readjustment Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-49, intituled: "An Act to amend the statute law relating to income tax", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Prowse, seconded by the Honourable Senator Cottreau, for the second reading of the Bill C-51, intituled: "An Act to increase the representation of the Northwest Territories in the House of Commons and to establish a commission to readjust the electoral boundaries of the Northwest Territories",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Fergusson, P.C., for the second reading of the Bill C-10, intituled: "An Act to amend the Prairie Grain Advance Payments Act".

After debate,

The Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Perrault, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn,

P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 60

Tuesday, 11th March, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Fournier	Langlois,	Norrie,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Lapointe,	O'Leary,
Basha,	Croll,	<i>Gloucester</i>),	Lefrançois,	Perrault,
Beaubien,	Davey,	Godfrey,	Macdonald,	Petten,
Bélisle,	Denis,	Goldenberg,	Macnaughton,	Prowse,
Benidickson,	Deschatelets,	Graham,	Manning,	Quart,
Bourget,	Desruisseaux,	Grosart,	McDonald,	Riel,
Buckwold,	Eudes,	Hayden,	McElman,	Riley,
Burchill,	Everett,	Hays,	McGrand,	Rowe,
Carter,	Fergusson,	Heath,	McIlraith,	Smith,
Choquette,	Flynn,	Inman,	McNamara,	Sparrow,
Connolly	Forsey,	Lafond,	Molgat,	Sullivan,
(<i>Ottawa West</i>),	Fournier	Laird,	Molson,	Yuzyk.
Cook,	(<i>de Lanaudière</i>),	Lamontagne,	Neiman,	

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Report on Uranium Enrichment, dated September 3, 1971, issued by the Department of Energy, Mines and Resources.

Report of the Department of Regional Economic Expansion for the fiscal year ended March 31, 1974, pursuant to section 22 of the *Department of Regional Economic Expansion Act*, Chapter R-4, R.S.C., 1970.

Report on operations under the *Regional Development Incentives Act* for the month of December 1974, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Prowse resumed the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-49, intituled: "An Act to amend the statute law relating to income tax".

After debate,

The Honourable Senator Grosart for the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Fergusson, P.C., for the second reading of the Bill C-10, intituled: "An Act to amend the Prairie Grain Advance Payments Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Fergusson, P.C., that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Prowse, seconded by the Honourable Senator Côtteau, for the second reading of the Bill C-51, intituled: "An Act to increase the representation of the Northwest Terri-

tories in the House of Commons and to establish a commission to readjust the electoral boundaries of the Northwest Territories".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Prowse moved, seconded by the Honourable Senator Riel, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act" be read the second time.

After debate,

The Honourable Senator Choquette moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Que-

bec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eight o'clock p.m., it was—

Resolved in the affirmative. 3.55 p.m.

The sitting of the Senate resumed. 8.00 p.m.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, March 11, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that Messrs. Alexander and Beaudoin, Miss Bégin, Messrs. Brewin, Daudlin, Epp, Friesen, Guay (St. Boniface), La Salle, Lee and MacDonald (Egmont), Miss Nicholson and Messrs. O'Connell, Prud'homme and Rompkey have been appointed a Committee to act on behalf of this House as members of a

Special Joint Committee of both Houses on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

Pursuant to Order, the Senate resumed the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-49, intituled: "An Act to amend the statute law relating to income tax".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 61

Wednesday, 12th March, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,
Asselin,	Cottreau,
Basha,	Croll,
Beaubien,	Davey,
Bélisle,	Denis,
Benidickson,	Deschatelets,
Bourget,	Desruisseaux,
Buckwold,	Duggan,
Burchill,	Eudes,
Carter,	Everett,
Choquette,	Fergusson,
Connolly	Flynn,
(Ottawa West),	Forsey,

Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Hays,
Heath,
Inman,
Lafond,
Laird,

Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,

Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Prowse,
Quart,
Riel,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
Yuzyk.

PRAYERS.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-51, intituled: "An Act to increase the representation of the Northwest Territories in the House of Commons and to establish a commission to readjust the electoral boundaries of the Northwest Territories", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Benidickson, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 62

Thursday, 13th March, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Fournier	Langlois,	O'Leary,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Lapointe,	Paterson,
Basha,	Croll,	<i>Gloucester</i>),	Lefrançois,	Perrault,
Beaubien,	Davey,	Godfrey,	Macdonald,	Petten,
Bélisle,	Denis,	Goldenberg,	Manning,	Phillips,
Benidickson,	Deschatelets,	Graham,	McDonald,	Prowse,
Bourget,	Desruisseaux,	Grosart,	McElman,	Quart,
Buckwold,	Eudes,	Hayden,	McGrand,	Riley,
Burchill,	Everett,	Hays,	McIlraith,	Robichaud,
Carter,	Fergusson,	Heath,	McNamara,	Rowe,
Choquette,	Flynn,	Inman,	Michaud,	Smith,
Connolly	Forsey,	Lafond,	Molson,	Sparrow,
(<i>Ottawa West</i>),	Fournier	Laird,	Neiman,	Stanbury,
Cook,	(<i>de Lanaudière</i>),	Lamontagne,	Norrie,	Yuzyk.

PRAYERS.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the following Senators be appointed to act on behalf of the Senate on the Special Joint Committee on Immigration Policy, namely, the Honourable Senators Benidickson, Côté, Fergusson, Heath, Quart, Riel, Stanbury and Yuzyk;

That the Committee have power to sit during sittings and adjournments of the Senate; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Argue presented to the Senate a Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

The Bill was read the first time.

The Honourable Senator Argue moved, seconded by the Honourable Senator Godfrey, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 18th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Benidickson, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act".

After debate,

The Honourable Senator Smith moved, seconded by the Honourable Senator Fergusson, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately four o'clock p.m., it was—

Resolved in the affirmative. 2.35 p.m.

The sitting of the Senate was resumed. 4.00 p.m.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-49, intituled: "An Act to amend the statute law relating to income tax", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Hayden moved, seconded by the Honourable Senator Langlois, that the Bill be read the third time now.

After debate,

In amendment, the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the Bill be not now read the third time but that it be referred back to the Standing Senate Committee on Banking, Trade and Commerce with instructions to amend it as follows:—

That clause 4 of the Bill be amended by adding thereto, next after line 8 on page 7, the following:

"(6) Subsections 4(2) and (5) and subsections 7(1) and (5) and any other provision of this Act to the ex-

tent that it is necessary and incidental to or consequential upon those subsections or any of them shall not come into force and have effect as law except upon proclamation of the Governor in Council following upon the expiration of the 15th day of April 1975."

After debate, and—

The question being put on the motion in amendment—

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Choquette	O'Leary
Flynn	Phillips
Grosart	Quart
Macdonald	Yuzyk—8.

NAYS

The Honourable Senators

Benidickson	Lamontagne
Burchill	Langlois
Carter	McDonald
Cottreau	McElman
Eudes	McGrand
Everett	McIlraith
Forsey	McNamara
Fournier (<i>de Lanaudière</i>)	Michaud
Fournier (<i>Restigouche-Gloucester</i>)	Neiman
Godfrey	Norrie
Graham	Perrault
Hayden	Petten
Inman	Prowse
Lafond	Robichaud
	Rowe
	Smith—30.

So it was resolved in the negative.

The question being put on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Langlois, for the third reading of the Bill C-49, intituled: "An Act to amend the statute law relating to income tax", it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE OTTAWA

MARCH 13, 1975

Madam,

I have the honour to inform you that the Honourable Wishart F. Spence, O.B.E., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 13th March, at 5.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant.

ANDRÉ GARNEAU
Brigadier General

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to amend the statute law relating to income tax

An Act to amend the Canadian Wheat Board Act

An Act to increase the representation of the Northwest Territories in the House of Commons and to establish a commission to readjust the electoral boundaries of the Northwest Territories

An Act respecting the Electoral Boundaries Readjustment Act

An Act respecting the Electoral Boundaries Readjustment Act

An Act respecting the Electoral Boundaries Readjustment Act.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

“In Her Majesty’s name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills.”

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 18th March, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Denis, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 63

Tuesday, 18th March, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE. Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Langlois,	Paterson,
Asselin,	Côté,	(Restigouche-	Lefrançois,	Perrault,
Basha,	Cottreau,	Gloucester),	Macdonald,	Petten,
Beaubien,	Croll,	Godfrey,	Macnaughton,	Prowse,
Bélisle,	Denis,	Goldenberg,	Manning,	Riel,
Benidickson,	Desruisseaux,	Graham,	McDonald,	Riley,
Bourget,	Duggan,	Grosart,	McGrand,	Robichaud.
Buckwold,	Eudes,	Hayden,	McIlraith,	Rowe,
Cameron,	Everett,	Hicks,	McNamara,	Sparrow,
Carter,	Fergusson,	Inman,	Michaud,	Stanbury,
Choquette,	Fournier	Lafond,	Neiman,	van Roggen.
Connolly	(de Lanaudière),	Laird,	O'Leary,	Yuzyk.
(Ottawa West),				

PRAYERS.

The Honourable Senator Langlois, laid on the Table the following:—

Report on the administration of the *Members of Parliament Retiring Allowances Act* for the fiscal year ended March 31, 1974, pursuant to section 35 of the said Act, Chapter 25 (1st Supplement), R.S.C., 1970.

Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1972, pursuant to section 18(1) of the said Act, Chapter C-31, R.S.C., 1970.

Report of the Department of Consumer and Corporate Affairs for the fiscal year ended March 31, 1974, pursuant to section 10 of the *Department of Consumer and Corporate Affairs Act*, Chapter C-27, R.S.C., 1970.

Copies of Program of Guideline dates for metric conversion, issued by the Department of Industry, Trade and Commerce.

Report on Prairie Farm Rehabilitation and Related Activities for the fiscal year ended March 31, 1974, pursuant to section 10 of the *Prairie Farm Rehabilitation Act*, Chapter P-17, R.S.C., 1970.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Benidickson, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Desruisseaux resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

The Honourable Senator Petten for the Honourable Senator McElman, moved, seconded by the Honourable Senator Buckwold, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Benidickson, P.C., resumed the debate on the motion of the Honourable Senator Benidickson, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 64

Wednesday, 19th March, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Cottreau,

Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Hays,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Neiman,
O'Leary,

Paterson,
Perrault,
Petten,
Phillips,
Prowse,
Quart,
Riel,
Riley,
Robichaud
Rowe,
Sparrow,
Stanbury,
van Roggen,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, March 18, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Orlikow and Caccia have been substituted for those of Messrs. Brewin and Daudlin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-223, intituled: "An Act to amend the Criminal Code (the National Flag of Canada)", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold, that the Bill be placed on the Orders of the Day for a second reading on Friday next, 21st March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-373, intituled: "An Act to provide for the recognition of the Beaver (*Castor canadensis*) as a symbol of the sovereignty of Canada", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Inman, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce which was authorized to examine and report upon any bill relating to competition in Canada or to the *Combines Investigation Act*, in advance of the said bill coming before the Senate, or any matter relating thereto, tabled a Report entitled: Competition Policy: Interim Report of the Standing Senate Committee on Banking, Trade and Commerce.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 250-258)

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-29, intituled: "An Act respecting Canadian business corporations", reported that it had examined the said Bill and had directed him to report the same to the Senate with certain amendments.

The amendments were then read by the Clerk Assistant as follows:—

WEDNESDAY, March 19, 1975.

The Standing Senate Committee on Banking, Trade and Commerce to which was referred Bill C-29, intituled: "An Act respecting Canadian business corporations", has, in obedience to the order of reference of Tuesday, February 4, 1975, examined the said Bill and now reports the same with the following amendments:

1. *Page 7*: Strike out lines 17 and 18 and substitute therefor the following:
"corporations incorporated to carry on business throughout Canada, to advance the cause of"
2. *Page 10*: Strike out lines 29 to 32, inclusive, and substitute therefor the following:
"name it had before such continuance."
3. *Page 15*: Strike out lines 24 to 27, inclusive, and substitute therefor the following:
"(6) A corporation that, without reasonable cause, fails to comply with this section is guilty of an offence and liable on summary conviction to a fine not exceeding five thousand dollars."
4. *Page 15*: Strike out lines 34 and 35 and substitute therefor the following:
"free of charge, and, where the corporation is a distributing corporation as defined in subsection 121(1), any other person may do so upon payment of a reasonable fee."
5. *Page 16*: Strike out line 1 and substitute therefor the following:
"(3) Shareholders and creditors, of a corporation, their agents and legal representatives, the Director and, where the corporation is a distributing corporation as defined in subsection 121.(1), any other person, upon payment of a"
6. *Page 17*: Strike out lines 24 and 25 and substitute therefor the following:
"(10) A person who, without reasonable cause, contravenes this section is guilty of an offence and liable on"

7. *Page 63:* Strike out line 19 and substitute therefor the following:
“(6) A person who, without reasonable cause, contravenes subsection”
8. *Page 75:* Strike out line 13 and substitute therefor the following:
“106.(1) Notwithstanding subsection 109(3), but subject to subsections (3) and”
9. *Page 77:* Renumber subsections 109(4) to 109(8), inclusive, as subsections 109(5) to 109(9), inclusive, and insert a new subsection 109(4), as follows:
“(4) Notwithstanding subsection (3), directors may transact business at a meeting of directors where a majority of resident Canadian directors is not present if
(a) a resident Canadian director who is unable to be present approves in writing or by telephone or other communications facilities the business transacted at the meeting; and
(b) a majority of resident Canadian directors would have been present had that director been present at the meeting.”
10. *Page 79:* Strike out lines 1 to 4 inclusive.
11. *Page 85:* Strike out lines 1 and 2 inclusive and substitute therefor the following:
“duties and delegate to them powers to manage the business and affairs of the corporation, except powers to do any thing referred to in subsection 110(3);”
12. *Page 92:* Strike out line 36 and substitute therefor the following:
“(9) A person who, without reasonable cause, fails to comply with”
13. *Page 106:* Strike out lines 41 and 42 and substitute therefor the following:
“thereby relieved of their duties and liabilities to the same extent.”
14. *Page 109:* Strike out line 22 and substitute therefor the following:
“fails to comply without reasonable cause, with subsection (1), the”
15. *Page 116:* Strike out line 4 and substitute therefor the following:
“(2) A corporation that, without reasonable cause, fails to comply”
16. *Page 136:* Strike out lines 12 to 15 inclusive and substitute therefor the following:
“may be continued to be prosecuted by or against the amalgamated corporation;”
17. *Page 136:* Strike out lines 18 to 21 inclusive and substitute therefor the following:
“amalgamating corporation may be enforced by or against the amalgamated corporation;”
18. *Page 137:* Strike out lines 29 to 32 inclusive, and substitute therefor the following:
“against the body corporate may be continued to be prosecuted by or against the corporation;”
19. *Page 137:* Strike out lines 35 to 37, inclusive, and substitute therefor the following:
“body corporate may be enforced by or against the corporation.”
20. *Page 139:* Strike out lines 40 to 43, inclusive, and substitute therefor the following:
“against the corporation may be continued to be prosecuted by or against the body corporate; and”
21. *Page 140:* Strike out lines 3 to 5, inclusive, and substitute therefor the following:
“corporation may be enforced by or against the body corporate.”
22. *Page 154:* Strike out line 27 and substitute therefor the following:
“(1) An offeror who, without reasonable cause, fails to comply”
23. *Page 176:* Strike out line 24 and substitute therefor the following:
“(2) A person who, without reasonable cause, contravenes subsec-”
24. *Page 179:* Amend clause 222 by adding thereto the following subclauses:
“(5) An *ex parte* application under this section shall be heard *in camera*.
(6) No person may publish anything relating to *ex parte* proceedings under this section except with the authorization of the court or the written consent of the corporation being investigated.”
25. *Page 191:* Strike out line 33 and substitute therefor the following:
“244. Every person who, without reasonable cause, contravenes a”
26. *Page 192:* Delete subsection 245(2) and renumber subsections 245(3) and 245(4) as subsections 245(2) and 245(3).
27. *Page 206:* Strike out clause 1 of Item 6 and substitute therefor the following:
“1. The definition “company” in section 2 is repealed and the following substituted therefor:
“company” includes
(a) a person having authority under a special act to construct or operate a pipeline, and
(b) a body corporate incorporated or continued under the Canada Business Corporations Act and not discontinued under that Act.”

In addition to the specific amendments proposed, the Committee gave consideration to the question of corporate reorganizations. Concern has been expressed that the failure to include reorganization provisions of the type contained in the *Canada Corporations Act* and in various provincial corporations acts, will result in preventing certain reasonable types of business reorganizations from being accomplished under this Act. The Ministry of Consumer and Corporate Affairs points out that many of the business reorganizations of the type referred to have related to bankruptcy or insolvency situations and that these will be dealt with in a new federal bankruptcy act to be introduced shortly.

In addition, the Ministry refers to the provisions of Part XIV of the Bill relating to Fundamental Changes and suggests that in the non-insolvency situations these provisions would permit any type of corporate reorganization which heretofore could have been conducted under the reorganization provisions. Your Committee doubts that such is the case. In particular, the ability under court supervision to force an exchange of securities in various circumstances seems to be lacking. On the other hand the insertion of reorganization provisions into the Bill at this time would require careful consideration and a substantial change in the Bill. The Ministry has undertaken to give this matter careful consideration and, if desirable, include reorganization provisions in the first amending bill which is introduced. Your Committee recommends that this course of action be followed.

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.

With leave of the Senate,

The Honourable Senator Hayden moved, seconded by the Honourable Senator Langlois, that the Report be adopted now.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That the name of the Honourable Senator Williams be substituted for that of the Honourable Senator Heath on the list of Senators serving on the Special Joint Committee on Immigration Policy; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Quart called the attention of the Senate to International Women's Year.

After debate,

The Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator McDonald, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See page 246)

COMPETITION POLICY
INTERIM REPORT OF THE STANDING SENATE COMMITTEE ON
BANKING, TRADE AND COMMERCE

INTRODUCTION

On October 16, 1974, the following order of reference was made by the Senate:

"That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon any bill relating to competition in Canada or to the *Combines Investigation Act*, in advance of the said bill coming before the Senate, or any matter relating thereto;

That the Committee have power to engage the services of such counsel, staff and technical advisers as may be necessary for the purpose of the said examination; and

That the papers and evidence received and taken on the subject in the preceding session be referred to the Committee."

Pursuant to a similar order made in the preceding session, your Committee held three meetings prior to the dissolution of Parliament on May 9, 1974 for the purpose of

considering Bill C-7 entitled "An Act to amend the *Combines Investigation Act* and the *Bank Act* and to repeal an Act to amend an Act to amend the *Combines Investigation Act* and the *Criminal Code*", which received first reading in the House of Commons on March 11, 1974.

In the present session, Bill C-2, having the same title and which is in exactly the same form as Bill C-7, received second reading and reference to Committee in the House of Commons on October 28, 1974.

Attached hereto as Schedule "A" is a complete list of briefs considered by your Committee in connection with the subject matter. Your Committee has held a total of 14 meetings to date in the present session.

MINISTER'S PROPOSED AMENDMENTS

On December 3, 1974, the Hon. André Ouellet, Minister of Consumer and Corporate Affairs, tabled in the Commons Committee on Finance, Trade and Economic Affairs a series of proposed amendments and comments thereon to Bill C-2. The table of contents accompanying such amendments is reproduced as follows:

Subclause 1(1)	Section 2	Definition
Clause 2	Section 4	Collective Bargaining
Clause 2	Section 4.1	Underwriting of Securities
Clause 2	Section 4.2	Amateur Sport
Clause 9	Section 27	Proceedings before Commission
Clause 10	Section 29	Intellectual Property
Clause 12	Section 31.2	Refusal to Deal
Clause 12	Section 31.3	Consignment Selling
Clause 12	Section 31.4	Exclusive dealing, market restriction, etc.
Clause 12	Section 31.5	Foreign Judgment
Clause 12	Section 31.6	Foreign Laws
Subclause 14(3)	Section 32	Combination in restraint of trade
Clause 15	Section 32.2	Bid-rigging
Clause 15	Section 32.3	Professional Sport
Subclause 16(1)	Section 34	Price Discrimination
Subclause 16(2)	sub-section 34(3)	Cooperatives
Subclause 18(1)	Section 36	Misleading Advertising
Subclause 18(1)	Section 36(2) (d)	Misleading Advertising
Subclause 18(1)	Section 36(4)	Misleading Warranty or Guarantee
Subclause 18(1)	Section 36.1(1)	Tests and Testimonials
Subclause 18(1)	Section 36(2)	Double Ticketing
Subclause 18(1)	Section 36.3	Pyramid Selling
Subclause 18(1)	Section 36.4	Referral Selling
Subclause 18(1)	Section 37.1	Sales above Advertised Price
Subclause 18(1)	Section 37(2)	Bait-and-Switch Selling
Subclause 18(1)	Section 37(3)	Bait-and-Switch Selling
Subclause 18(1)	Section 37.2(1)	Promotional Contests
Subclause 18(1)	Section 38	Price Maintenance
Clause 19	Section 44	Procedure
Clause 22	Section 45.3	Statistical Evidence

Your Committee's study of these proposed amendments indicates that a reasonable attempt has been made to meet many of the criticisms of the proposed legislation which were indicated in various submissions.

The Minister has indicated that he may propose further amendments in connection with new section 31.6, which deals with foreign laws and directives in their effect on business in Canada.

With respect to the following amendments proposed by the Minister, your Committee either has no comment or is of the opinion that they are satisfactory and that no further changes to the sections to which they relate are required:

- Definition (tickets evidencing a right to transportation included in definition of article)
- Collective Bargaining
- Underwriting of Securities
- Proceedings before Commission
- Intellectual Property
- Foreign Judgment
- Foreign Laws
- Combination in restraint of trade
- Price Discrimination
- Cooperatives
- Misleading Warranty or Guarantee
- Tests and Testimonials
- Double Ticketing
- Pyramid Selling
- Referral Selling
- Sales above Advertised Price
- Bait-and-Switch Selling
- Promotional Contests
- Statistical Evidence

It will be seen that the above list comprises over half of the Minister's proposed amendments. In the case of most of those not included in the above list, your Committee considers that the proposed amendments, as far as they go, are satisfactory, but that redrafting or major changes for other reasons may be required in the sections to which they relate. Those proposed amendments of the Minister will therefore be commented on hereunder in the context of your Committee's own observations on the sections.

REGULATED TRADES, INDUSTRIES AND PROFESSIONS

Bill C-2 would extend application of the Act to services. Because certain activities of the professions and service industries have been regulated by provincial law for many years, conflicts would undoubtedly arise where activities contemplated by provincial law nevertheless appear to constitute an offence under the amendments to the Act.

The same problem has of course arisen in the past with respect to the activities of trades and industries (in relation to their dealings with articles) which were regulated under provincial law and the courts have held that what might otherwise have constituted an offence under the Act could not be so considered where the activity was regulated by provincial law. Apparently relying on this line of cases, no specific exclusion of regulated service industries from the application of the Act has been proposed in the Bill C-2 amendments. The Department of Consumer and Corporate Affairs explanatory booklet says at page 27:

"Services such as telephone and other forms of communication, electrical power and the professions would continue to be immune from the legislation to the extent that their activities were regulated or were expressly authorized by law. This immunity is not stated in the Bill, but stems from judicial interpretation.

"The leading case in this connection was *In Re The Farm Products Marketing Act*, where the Supreme Court of Canada in 1957 held that regulatory schemes based on valid legislation could not be held to be 'to the detriment or against the interests of the public' as the then Combines Investigation Act put it, nor could they be schemes to unduly limit or prevent competition, within the meaning of the then section 411 of the Criminal Code."

Your Committee considers that it would be consistent with the law reform movement to embody the effect of these judicial decisions in the Act, the more so because failure to do so might lead a court to conclude that it was Parliament's intention to override them with respect to activities to which application of the Act was extended subsequently.

Concern was also expressed by the professions as to the possible effect on them of new Part IV.1 of the Act. In view of the special relationship of mutual confidence and trust which must exist between professional and client, your Committee considers that it would be inappropriate that a professional be forced to provide services to anyone. Also, for very good reasons, a professional entrusted with a mandate on behalf of a client may be directed by that client or he may feel himself that he must not act for other clients in the same line of business. Other matters dealt with in Part IV.1, i.e., consignment selling, market restriction, foreign judgments and foreign laws and directives, would appear inapplicable to professional services in any event. Your Committee therefore considers that there should be an amendment clarifying that Part IV.1 would not apply to the provision of professional services.

Neither of the amendments recommended by your Committee would leave the professions or service industries free to fix the fees for their services (or trades or industries to fix prices) or to do anything else prohibited by the Act other than as might be permitted by another law.

EXEMPTION FOR AFFILIATES

The Act as it stands does not specifically exempt arrangements or practices between affiliated companies

from the offences created therein although it could probably be argued successfully that the Act was not intended to apply in such circumstances.

Bill C-2 would add a new subsection 38(2) providing that the resale price maintenance provisions (which have themselves been amended by the Bill) would not apply between affiliated companies and a new subsection (7) defining the circumstances in which a company is affiliated with another for the purposes of subsection (2).

Similarly, with respect to the proposed new jurisdiction of the Commission to review exclusive dealing, market restriction and tied selling practices contained in new section 31.4, it is provided in subsection (4) that no order of the Commission applies in respect of such practices between affiliates. Subsection (5) contains exactly the same definition of affiliates as new subsection 38(7).

Your Committee welcomes the inclusion of these specific statutory exemptions. However, the fact that they are provided only with respect to certain offences and reviewable practices raises an implication that they are not intended to apply with respect to others.

The purpose of the legislation is to prohibit in the public interest unlawful arrangements between parties from whom the benefits of independent action should be expected. Since there is no reason to expect affiliated companies, which by definition have common control, to act independently, it follows that arrangements of practices between them should not be prohibited any more than those between departments of a single company. If a group of affiliates is so large that their common practices have an anti-competitive effect on the market, the monopoly provisions of the Act provide the remedy.

Your Committee therefore recommends (1) that new provisions be inserted exempting arrangements or practices between affiliates from the conspiracy provisions (section 32), the proposed new bid-rigging provisions (new section 32.2) and the price discrimination provisions (sections 34 and 35) and (2) that the definition of affiliates proposed in new subsections 31.4(5) and 38(7) be included in the definition section of the Act (section 2).

CONSTITUTIONAL

Several of the new provisions which Bill C-2 would enact may rest on questionable constitutional ground. Reference is made particularly (1) to the provision (new s. 31.1) which would give to a person who has suffered loss or damage a civil right of action to recover damages for breach of any of the statutory offences under the Act or for failure to comply with an order of the Commission and (2) to the "civil jurisdiction" (new Part IV.1) given to the Commission which, in effect, enables it to look into a specific set of facts under very broad legal criteria and make an order affecting one or more named suppliers.

Speaking of the civil damages provision, the explanatory booklet "Proposals for a New Competition Policy for Canada" published by the Department of Consumer and Corporate Affairs says as follows at p. 67:—

"While the constitutionality of new section 31.1 may be challenged as relating to property and civil rights or matters of a local or private nature which, under section 92 of the B.N.A. Act, are within provincial rather than federal, jurisdiction, it is nevertheless

hoped that the section will be upheld* as a matter ancillary to the criminal law, or relating to trade and commerce, and therefore within federal jurisdiction under section 91 of that Act."

*In a later edition of the booklet, this phrase was changed to read "it is considered that the section is supportable".

Federal combines legislation to date has largely been upheld constitutionally on the basis of Parliament's criminal law power. Can the creation of a civil right of action be said to be ancillary to such powers? Can an order of an administrative tribunal which does not affect the entire population or even a particular class thereof but perhaps only one supplier be said to be a criminal law or is it the regulation of a trade, possibly within a province?

In cases such as the *Board of Commerce* case, 1922 1 A.C. 191 in which the Privy Council considered legislation not unlike Bill C-2, a court would find precedents for holding the above-mentioned provisions *ultra vires*. However, judicial interpretation of the constitution is an evolving process and it is impossible to predict with any certainty what view of the legislation might be taken today by our highest court. Earlier cases can always be "distinguished" or "explained" as was done in respect of the *Board of Commerce* case decision in the *Proprietary Articles Trade Association* case, 1931 A.C. 310, where the constitutional validity of the predecessor of the present *Combines Investigation Act* was in issue and in *Goodyear Tire & Rubber Co. v. The Queen* 1956 S.C.R. 303 where it was held that the provision of the *Combines Investigation Act* empowering a court to prohibit the continuation or repetition of an offence by injunction was a legitimate exercise of Parliament's powers ancillary to criminal law.

Parliament cannot be expected to refrain indefinitely from legislating in constitutionally grey areas on the chance that legislation may be declared *ultra vires*. On the other hand, it is unfair to citizens to expect them to reorganize their affairs both to comply with and to take advantage of provisions of legislation which may be ultimately declared invalid.

The solution to these difficulties in the present case, in your Committee's opinion, is to provide that section 31.1 and Part IV.1 of the Act shall not be proclaimed into force until such time as the Supreme Court of Canada has had an opportunity to render its opinion on the constitutionality thereof pursuant to a reference to the Court by the Governor in Council and then only to the extent they have been upheld as valid.

CIVIL DAMAGES (new section 31.1)

The Bill would provide that a person aggrieved by a breach of the provisions of the Act by another person would have a right of action in the civil courts for the damages suffered as a result of such breach. While the position may be different under the civil law of Quebec, the leading jurisprudence under the common law leaves considerable doubt as to whether a party has such a right of action on the theory that the only sanctions intended are those provided in the Act itself, namely, fines and imprisonment. Thus, for the common law provinces at least, a statutorily created right would be required in order to ensure the right to claim damages.

Your Committee sees no reason why someone who is guilty of an offence under the Act should not be required to make full compensation to all those who have suffered thereby. However, in your Committee's opinion, the civil right to damages would be on firmer constitutional ground if it were limited to those cases in which there had been a conviction under the Act. The recommendation of your Committee accordingly is that the Bill be so amended and, as stated above, that the constitutionality of the provision be referred to the Supreme Court of Canada.

The Bill provides that the aggrieved party may recover "an amount equal to the loss or damage proved to have been suffered by him". Your Committee recommends that this should be clarified to ensure that only those damages which are the direct result of the acts complained of can be recovered. This would appear consistent with the ordinary rules relating to damage claims under provincial law and your Committee considers that there is no need to deviate from such rules in the present matter.

Subsection 31.1(2) provides that, in any civil action, the record of proceedings in any court in which the defendant was convicted of an offence under the Act is, in the absence of any evidence to the contrary, proof that he engaged in the conduct complained of for purposes of the civil action. The subsection goes on to provide that any evidence given in the criminal proceedings as to the effect of such conduct on the plaintiff in the civil action is evidence thereof in the civil action.

It is not clear what is meant by "record of proceedings". If this is to include transcripts of evidence given in the criminal proceedings and exhibits filed therein, confusion and injustice would result, in your Committee's opinion, in the conduct of the civil case.

Your Committee considers therefore that this provision should be amended to make it clear that "record of proceedings" is not to include transcripts of testimony given or documents or other exhibits produced in the criminal proceedings.

The foregoing suggested amendments of your Committee would require consequential amendments to proposed subsection (3).

PRACTICES REVIEWABLE BY THE COMMISSION (NEW PART IV.1)

Bill C-2 proposes a new concept in the supervision of certain trade practices only considered undesirable in certain circumstances. Under the Act as it stands, the sole approach is the creation of criminal offences. Charges are laid against the accused in the ordinary courts and the accused may be acquitted or convicted. If convicted, he is subject to the usual criminal penalties and to an injunction with respect to repetition or continuation of certain conduct.

Under the reviewable practices jurisdiction, the Commission would be empowered to make specially tailored orders affecting particular suppliers and customers, breach of which would constitute a criminal offence; i.e., the supplier would not be punished for practices ante-dating the order.

Your Committee in a previous section of this report has expressed doubts concerning the constitutionality of this proposed new jurisdiction of the Commission and made a recommendation that the question be referred to the

Supreme Court of Canada. Even if this new jurisdiction is found to be constitutional in whole or in part, your Committee has further concerns as to its desirability. While it agrees that the more flexible environment for settling questions affecting competition policy which the proposed powers of the Commission would provide may be more desirable than the criminal law approach, its concern is with the selection of subject matters for review proposed by the Bill. For example, it may be that certain aspects of what are now covered by the price discrimination sections of the Act (sections 34 and 35) or the resale price maintenance provisions (section 38) could be more suitably dealt with as reviewable practices than as *per se* offences.

Your Committee particularly questions the desirability of the "refusal to deal" provisions. Your Committee is concerned that the proposed new provisions are more likely to be invoked, not in the interests of the consumer, but in those of businesses that are in or, worse still, new businesses that simply wish to get into the distribution segment of the economy.

In case there may be circumstances where an order is warranted, your Committee considers that its concerns can be overcome by amendments which would have the effect of raising the threshold of intervention by the Commission, setting out more detailed guidelines as to the circumstances in which the Commission may make an order and providing for a more substantive right of appeal from decisions of the Commission than would be afforded by the rudimentary jurisdiction contained in section 28 of the *Federal Court Act*.

It has been suggested that the right of appeal from orders of the Commission should not be any more extensive than rights of appeal from decisions of other federal boards or tribunals. Your Committee points out, however, that in the case of several federal boards the Cabinet may exercise review powers on questions of fact or policy. Moreover, most of the parties affected by these tribunals have long since become accustomed to carrying on their activities in an atmosphere of heavy regulation.

In contrast to this, new Part IV.1 of the Act would put under the possibility of extensive regulation long established business practices which have developed in accordance with the realities of a relatively free market. The sudden impact of an order by the Commission which may drastically change the manner in which certain business activities must be carried out could have adverse effects not only on that business but on the economy as a whole. For this reason, your Committee does not share the view that it would be inconsistent with the existing practices in respect of other tribunals to provide a more viable right of appeal to the courts from orders of the Commission.

With the foregoing considerations in mind, your Committee makes the following recommendations for amendment to the proposed provisions of new Part IV.1:

1. Your Committee concurs with the Minister's proposed amendment to various sections whereby it would be made clear that no findings could be made by the Commission until after it had heard the parties against whom an order is sought. However, in the same vein, your Committee considers that the provisions should provide that the Director has the burden of proof in any proceedings before the Commission. In addition, in your Committee's opinion,

the words "and after affording every supplier . . . a reasonable opportunity to be heard" are not a sufficient safeguard of the suppliers' rights. Further provisions should be added to make the Commission a court of record and "for greater certainty" clarifying the suppliers' right to cross-examine witnesses produced by the Director and to call witnesses and produce documents on his own behalf in answer to any evidence made by the Director.

2. Your Committee considers that mere insufficiency of competition as determined by the Commission will result in too low a threshold of intervention and that this should be changed so as to make it clear that the Commission cannot make an order where there is a substantial degree of competition in the market amongst suppliers of the product.

3. To be enforceable, it would appear that an order of the Commission, especially under section 31.2 will have to specify at the least a period during which it is to remain in force. Your Committee considers that the supplier affected thereby should have the right to apply directly to the Commission to have the order repealed, amended or varied in the event that any of the circumstances present at the time the order was made have subsequently changed. While it may be that the Commission has such power without a specific provision in view of subsection 26(4) of the *Interpretation Act*, it would appear that a special provision is required in order to permit the Commission to act on the application of the supplier himself since the original order can only be made on the application of the Director.

4. Sections 31.2, 31.3 and 31.4 provide that the Commission "may" make an order when certain factors have been established by the Director. The use of the permissive "may" implies that, even though the Commission considered that the factors had been established, it could still, in its discretion, refuse to grant an order. Since the thrust of certain recommendations of your Committee is to spell out instances in which the Commission may not make an order, your Committee recommends that a provision be inserted clarifying that the Commission retains the freedom to refuse to make an order where it considers for any reason deemed sufficient by it that no order should be made notwithstanding that the basic factors had been established.

5. There has been considerable debate as to whether the Commission should make an order under the refusal to deal provisions with respect to a particular brand name product. The Minister's position on this was clarified by one of his proposed amendments which would provide in effect that failure to obtain supplies of a single brand name product would not constitute grounds for an order under the refusal to deal provisions unless that particular brand name was so dominant in the market that failure to obtain it would substantially affect the ability of a person to carry on his business in that class of articles. While this clarifies the position, in your Committee's opinion it does so in the wrong direction. Your Committee is particularly concerned with the suggestion that a person's business in that class of articles is all that needs to be affected. Thus, failure to obtain, e.g., a particular brand of toothpaste by a retailer might result in an order being made (if the other requirements of section 31.2 were met) notwithstanding

that the retailer had access to other brands and that toothpaste sales accounted for only a minor part of his total operations. Your Committee therefore recommends that the Minister's proposed subsection 31.2(2) be discarded and that the definition of product in section 2 of the Act be amended as follows:

"product' includes an article and a service and, unless the context shall otherwise require, all articles and services that are functionally competitive therewith or may be reasonably substituted therefor."

6. Your Committee agrees with the Minister's proposal to change the word "adversely" to "substantially" in new paragraph 31.2(a). However, your Committee does not consider that the reviewable practices jurisdiction should be available to someone who has never been in business and consequently it recommends the deletion of the words "or is precluded from carrying on business" in that paragraph.

7. One of the requirements that must be met by a person wishing to invoke the refusal to deal provisions is that he be "willing and able to meet the usual trade terms of the supplier . . . in respect of payment, units of purchase and otherwise". In response to criticism that this might not include other reasonable requirements of the supplier, the Minister proposed a new subsection 31.2(3). This proposal represents a substantial improvement, in your Committee's opinion, but still is not sufficiently broad. Your Committee therefore suggests that the new subsection read as follows:

"For the purposes of this section, the expression 'trade terms' means terms in respect of payment, units of purchase and reasonable technical, servicing and merchandising requirements and otherwise."

8. In the provision dealing with exclusive dealing and tied selling, the Minister has proposed an amendment to new subsection 31.4(2) reading as follows:

" because it is engaged in by a major supplier of a product in a market or because it is widespread in a market, is likely to lessen competition substantially by (a) impeding entry into or expansion of a firm in the market,"

The Comment accompanying this proposal of the Minister indicates that the purpose was to raise the threshold of intervention by the Commission. While your Committee regards this purpose as commendable, it is concerned that the specific drafting technique used may have the reverse effect in that it implies that the mere "impeding" will constitute a substantial lessening of competition. Your Committee suggests the provision be reworded as follows:

" because it is engaged in by a major supplier of a product in a market or because it is widespread in a market, is likely to

(a) impede entry into or expansion of a firm in the market, or

(b) impede introduction of a product into or expansion of sales of a product in the market

with the result that competition is likely to be lessened substantially . . ."

9. An important instrument in the life of the business community is the franchise agreement, e.g., an agreement

whereby the supplier permits the customer to use his trade mark or trade name in connection with the customer's business, on condition that certain standards with respect to the operation of such business designed to protect the goodwill associated with the trade mark or trade name are maintained. These arrangements permit a decentralization of economic activity which is in the interests of both the consumers and the small businessman. However, they may necessarily involve some degree of exclusive dealing, tied selling and market restriction practices.

Your Committee recommends that an amendment be made to make it clear that no order under section 31.4 shall apply to such practices where they are carried on in accordance with a franchise agreement as described above.

10. Your Committee recommends that an appeal should lie to the Federal Court of Canada from any order of the Commission on questions of fact or law or both and that the court be empowered to dispose of an appeal by dismissing it or allowing it and vacating the order or referring the matter back to the Commission.

BID-RIGGING (new section 32.2)

Your Committee agrees that these new provisions are desirable but shares the concerns that, because of the manner in which they have been drafted, they may unwittingly prohibit bids by joint ventures and similar groups, the purposes of which may be entirely legitimate and beneficial to the economy.

In recognition of this complaint, the Minister proposed an amendment which would, in effect, except bids by joint ventures from the prohibition provided the agreement or arrangement between the parties thereto was made known to and accepted by the person calling for the bid before the bid was made.

Your Committee considers that it would be unnecessarily complicated to have to obtain the consent of the person calling for the tenders prior to actual submission of the tender and that the concluding words of subsection (1) should therefore read simply as follows:

"where the agreement or arrangement is not made known to the person calling for or requesting the bids or tenders at or prior to the time any bid or tender is made by any person who is a party to the agreement or arrangement."

AMATEUR AND PROFESSIONAL SPORT

Subsection (1) of proposed new section 32.3 to the Act would make it an offence for anyone to conspire with another person to limit unreasonably opportunities to participate as a player in professional or amateur sport or limit unreasonably the opportunities for anyone to play for the team of his choice. Subsection (2) would direct the court, in a prosecution under subsection (1), to have regard to (a) whether the sport in question was organized on an international basis and whether for that reason it was necessary to accept certain limitations in Canada and (b) the desirability of maintaining a reasonable balance amongst the teams in the same league.

Included in the Minister's proposed amendments is an amendment for the purpose of removing amateur sport from the application of the Act. While your Committee supports this amendment, it is concerned that it may not have the desired effect in view of the restrictive definition

which it provides for amateur sport, namely, "sport in which the participants receive no remuneration for their services as participants." Your Committee understands that some amateurs do on occasion receive some compensation or remuneration which should not, nevertheless, qualify them as professionals. It is therefore recommended that the definition found in subsection (2) of new section 4.2 proposed by the Minister should be deleted.

As far as professional sport is concerned, your Committee heard representations from the National Hockey League and from the National Hockey League Players' Association. The League was opposed to inclusion of professional sport in the Act. The Players' Association agreed that the Combines Act was inappropriate legislation to deal with the subject but was content to see the provisions remain until other legislation could be introduced.

The gist of the offences created by the Combines Act, even as amended by Bill C-2, is the prevention of activity which is likely to increase the prices which the public is required to pay for goods and services. Provisions which single out a particular group of individuals with a view to regulating their relationship with their employers therefore represent a new concept in this kind of legislation.

Your Committee is in agreement with the representations made both by the National Hockey League and by the Players' Association to the effect that the criminal approach typical of the *Combines Investigation Act* is an inappropriate way of dealing with problems of this kind that may exist in professional sports. The provisions are framed in such a way that a criminal complaint would be laid against one or more clubs in the league and possibly against the league itself which could result in the imposition of fines or imprisonment. The wide ranging nature of the inquiry which the court would be required to conduct if the accused invoked one or other of the defences provided by subsection 32.3(2) demonstrates, in your Committee's submission, that attempts to regulate this sphere of activity in what is essentially a criminal law statute are inappropriate.

Your Committee is not aware of any evidence that the matters referred to in proposed new section 32.3 have reached such proportions in Canada that they should be dealt with as criminal law. Civil remedies are available to aggrieved players under the common law doctrine of restraint of trade. The fact that most of the few cases of this kind that there have been in Canada have supported the position of the team or the league as being reasonable merely tends to confirm that this is not a subject matter for criminal law.

Your Committee therefore recommends that both professional sport and amateur sport be exempted from the purview of the Act. In any event, if the provision affecting professional sport are to remain, your Committee recommends that such provisions be transferred from that part of the Act dealing with *per se* offences to the "Reviewable Practices" Part of the Act which Bill C-2 would create. It appears to your Committee that the procedure to be followed by the Commission in dealing with matters under that Part of the Act is more suitable than the kind of inquiry which a criminal court judge would be

directed to make under the provisions of proposed section 32.3.

MISLEADING REPRESENTATIONS AND ADVERTISING (Section 36)

Your Committee considers that the strengthening of these provisions which would result from the amendments proposed by Bill C-2 is commendable; nevertheless the provisions are so widely drawn that it is possible that they could catch contractual representations between sophisticated parties whereas the intention surely is to protect the consumer.

Your Committee therefore recommends that new paragraph 36(2)(b) be amended to provide that a representation that is relied on solely in connection with the operation of a business shall not be deemed to be made to the public.

DEFENCE OF DUE DILIGENCE

The Act as amended by the Bill would contain a number of strict liability offences, that is to say, offences in which it is unnecessary for the Crown to establish any guilty intent on the part of the accused. The mere fact that certain things have been done constitutes the elements necessary for conviction.

The briefs submitted to your Committee have been virtually unanimous in recommending that a person should not be convicted of certain offences if he is able to establish that he exercised due diligence to ensure that what was done did not violate the provisions of the Act.

The *Toronto Star* in an editorial on February 14, 1975, speaking of the amendments to the Act proposed by Bill C-2, said as follows:

"..... They allow too much discretion in some cases and none at all in others.

"In the latter category fall several offences in the amended act which could send a man to jail even though he had no criminal knowledge or intent, and even though he had made every reasonable effort to be sure he was acting legally. In law, such statutory rigidity is called 'strict liability.'

"The House of Commons Finance Committee, which is currently studying the proposed amendments, should remove the strict liability provisions and allow the courts more discretion in deciding whether a businessman was trying to trick the public or whether he himself was duped by someone else."

Your Committee recommends that a new section be added to the Act similar to that contained in Section 25 of the *English Fair Trading Act*, Statutes 1973, Chap. 41, the gist of which would be that in proceedings for certain offences it would be a defence for the person charged to prove that commission of the offence was due to reliance on information supplied or some cause beyond his control and that due diligence to avoid commission of the offence was exercised. Where the accused invokes the defence that he relied on information supplied, he must notify the prosecutor before trial of the name of the person who supplied the information. A newspaper publisher who published a misleading advertisement in good faith would also have a defence.

It is recommended that such new section apply to the offences created in the following sections of the Act as amended:

Promotional allowances—subsection 35(2)

Misleading advertising and representations—subsection 36(6)

Representations as to reasonable tests and testimonials—subsection 36.1(2)

Double ticketing—subsection 36.2(2)

Sale above advertised price—subsection 37.1(2)

Promotional contests—subsection 37.2(2)

Resale price maintenance—subsection 38(8)

RESALE PRICE MAINTENANCE (Section 38)

Subsection 38(3) of the Act provides in effect that where a supplier has been supplying a customer and subsequently refuses to supply him because the customer refuses to sell or has resold goods at a price lower than that specified by the supplier, the supplier is guilty of an offence. This offence would be retained under the Bill in new paragraph 38(1)(b).

However, under paragraph 38(5) of the Act a defence was provided where the supplier could establish that his refusal to sell was based on the supplier's reasonable belief that his customer was using the product as a loss leader or for bait-and-switch selling practices or that the customer had engaged in misleading advertising in respect of the products or that he had not provided the proper level of servicing. These defences would be removed by Bill C-2.

In the departmental explanatory booklet at page 16, it is stated as follows:

"These defences are withdrawn by the amending Bill. Those concerning bait and switch advertising and misleading advertising are no longer necessary in view of the new provisions making these practices offences under the Act. The defence concerning the provision of servicing is no longer of importance. It was placed in the Act at a time when servicing was the function of the retailer of appliances, but this function has largely passed to firms specializing in the servicing of appliances in general. The Economic Council of Canada recommended that these three defences be dropped. It was not favourable to the continuation of the loss leader defence, but felt that a separate inquiry should be undertaken and consideration given to the prohibition of the practice of 'loss leaders'. In the meantime, the defence would be retained. However, in the preparation of the present Bill, it was felt that the Council did not take sufficient account of the thorough inquiry into loss leaders which the Restrictive Trade Practices Commission had already made."

Your Committee considers that the fact that certain practices are proposed to be made offences under the Act is not a sufficient reason for withdrawing the defences to the supplier who refuses to continue to sell. Prosecution of the offender may be delayed or may never take place. Your Committee considers it illogical that a supplier should, in effect, be required to aid and abet a retailer in the commission of an offence.

As to the servicing requirement, it may have application in respect of goods other than appliances and there may still be cases where the retailer is expected to provide servicing.

The explanation for removing the defence in relation to loss leader selling does not appear convincing to your Committee.

On balance, your Committee considers that there is likely to be more harm in removing the defences than in retaining them and it is therefore your Committee's recommendation that present subsection 38(5) be retained.

INTERIM INJUNCTION (Section 29.1)

Bill C-2 would add provisions to the Act permitting the Crown to obtain an interim injunction (even without notice in certain cases) against a person who appears to the court to have done or to be about to do something toward the commission of an offence under the Act.

Your Committee received many representations that these provisions should be deleted on the grounds that (1) the commission of a crime should not be prejudged and (2) that grave injustice could result where someone was so restrained only to be acquitted later.

In private law matters, injunctions can be obtained but the applicant runs the risk that, if he cannot ultimately prove his case on the merits, he may be liable in damages to the person against whom the injunction was directed. So important is the preservation of this right to claim damages that in some jurisdictions interim or interlocutory injunctions will only be granted upon condition that the applicant put up security in an amount sufficient to satisfy such a damage claim by the other party.

While your Committee does not suggest that the Crown need be obliged to put up security, it does consider that the Act should clearly provide that a person against whom an injunction is directed and who is later acquitted has a right of action against the Crown for any damages suffered as a result of the injunction.

INDICTMENT/SUMMARY CONVICTION

The Act provides that enforcement proceedings may be taken by way of summary conviction or indictment in many instances. The penalty which may be inflicted in a case where the summary conviction proceeding is used is less severe than where proceedings are by way of indictment. However, the Criminal Code provides that proceedings by way of summary conviction must be instituted within six months from the date of the offence. It does not seem reasonable that the degree of punishment should be dependent upon matters as uncontrollable as the date of institution of the proceedings. In other words, there could be cases where the Crown felt that imprisonment was not warranted yet because the delays for instituting proceedings by way of summary conviction had expired they were

bound to proceed by way of indictment with the inevitable result that there would be imprisonment if the accused were convicted. This anomaly has been recognized by the Minister in his proposed amendment in which by new subsection 44(5) he would extend the delay for institution of summary conviction proceedings from six months to one year.

In the opinion of your Committee any distinction based upon delays for institution of proceedings should be eliminated altogether so that the Crown may retain complete flexibility with respect to all cases.

JURISDICTION OF FEDERAL COURT (Section 46)

The Act provides that prosecutions shall be brought in the ordinary criminal courts in the provinces but that, with the consent of the accused, most offences may be prosecuted in the Federal Court—Trial Division. Bill C-2 would amend the relevant provisions so that a prosecution could be brought against a corporation in the Federal Court—Trial Division without obtaining its consent. A prosecution against an individual in that court would still require his consent.

This is of doubtful constitutional validity since, although Parliament has jurisdiction in relation to criminal law, the provinces have jurisdiction in relation to the administration of justice and the creation of criminal courts. Doubtless this was the reason for making the jurisdiction of the Federal Court under the Act conditional upon the accused's consent.

Quite apart from the constitutional issue, your Committee agrees with the concern expressed in many of the submissions made to it that the accused, even if it is a corporation, should have the right to be tried in the ordinary criminal courts by a judge familiar with the well settled rules as to burden of proof and other matters which distinguish criminal from civil trials. Your Committee accordingly recommends that the proposed amendments in this connection to subsection 46(4) be deleted.

CONCLUSIONS

The foregoing presents the recommendations of your Committee on Bill C-2 based on the representations made and its study of the Bill to date. Consideration of the Bill by your Committee will be continuing and, if necessary, additional recommendations made in a further report or reports.

Your Committee's staff is presently drafting the text of actual amendments to the Bill that would be required to express its recommendations. It is expected that these amendments will be available shortly for discussion purposes.

Respectfully submitted,

Salter A. Hayden,
Chairman.

March 18, 1975

SCHEDULE "A"

2nd Session—29th Parliament
1974

List of Briefs submitted with regard to Combines
Investigation legislation

<i>Submissions Received</i>	<i>Appeared</i>
1. Board of Trade of Metropolitan Toronto.	
2. The Canadian Chamber of Commerce.	May 8, 1974
3. Dominion Foundries and Steel Limited.	
4. Federation of Automobile Dealer Associations of Canada.	
5. Imperial Oil Limited.	
6. International Harvester Company of Canada Limited.	
7. Investment Dealers Association of Canada.	
8. The Canadian Manufacturers' Association	May 1, 1974
9. The Canadian Real Estate Association	May 8, 1974
10. The Honourable Robert Welch, Q.C., Ontario Provincial Secretary for Justice.	
11. Canadian Lumbermen's Association.	
12. Ontario Lumber Manufacturers' Association	
13. Union Oil Company of Canada Limited.	

1st Session—30th Parliament
1974-75

1. Association of Canadian Advertisers Incorporated	December 18, 1974
2. Allied Beauty Assoc.	November 27, 1974
3. Canadian Institute of Chartered Accountants.	December 18, 1974
4. National Automotive Trades Association of Canada.	February 12, 1975
5. Blake, Cassels & Graydon.	November 13, 1974
6. The Board of Trade of Metropolitan Toronto.	
7. The Canadian Chamber of Commerce.	
8. Coca-Cola Ltd.	February 26, 1975
9. The Canadian Bar Association	
10. Canadian Construction Association.	
11. Consumers' Association of Canada.	December 18, 1974
12. Canadian Amateur Hockey Association.	November 20, 1974
13. Canadian Lacrosse Association.	November 20, 1974
14. Dominion Dairies Limited.	February 26, 1975
15. Dominion Foundries and Steel, Limited.	
16. The Federation of Automobile Dealers Associations of Canada.	
17. National Hockey League Players' Assoc.	December 11, 1974
18. Canadian Federation of Insurance Agents & Brokers Associations.	December 11, 1974
19. The Institute of Canadian Advertising	December 11, 1974
20. Imperial Oil Limited.	
21. Insurance Bureau of Canada.	
22. International Harvester Company.	
23. The Investment Dealers Association of Canada.	November 27, 1974
24. Canadian Manufacturers' Association.	
25. Ontario Road Builders' Association.	
26. Patent and Trademark Institute of Canada	February 5, 1975
27. The Canadian Petroleum Association.	November 27, 1974
28. The Canadian Real Estate Association	November 20, 1974
29. Sun Oil Company Limited.	
30. Canadian Trucking Assoc.	February 5, 1975
31. Union Oil Company of Canada Limited.	
32. Grocery Products Manufacturers' of Canada.	
33. The Toronto Stock Exchange.	
34. Canadian Institute of Plumbing & Heating.	



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 65

Thursday, 20th March, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cottreau,	Fournier	Langlois,	O'Leary,
Asselin,	Croll,	(Restigouche-	Lapointe,	Perrault,
Basha,	Denis,	Gloucester),	Lefrançois,	Petten,
Beaubien,	Deschatelets,	Godfrey,	Macdonald,	Phillips,
Bélisle, †	Desruisseaux,	Goldenberg,	Macnaughton,	Prowse,
Benidickson,	Duggan,	Graham,	McDonald,	Quart,
Bourget,	Eudes,	Grosart,	McElman,	Riley,
Buckwold,	Everett,	Hayden,	McGrand,	Robichaud,
Cameron,	Fergusson,	Hays,	McIlraith,	Sparrow,
Carter,	Flynn,	Inman,	Michaud,	van Roggen,
Choquette,	Forsey,	Lafond,	Molgat,	Yuzyk.
Connolly	Fournier	Lamontagne,	Neiman,	
(Ottawa West),	(de Lanaudière),			

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Governor of the Bank of Canada, including statement of accounts certified by the auditors, for the year ended December 31, 1974, pursuant to section 26(3) of the *Bank of Canada Act*, Chapter B-2, R.S.C., 1970.

Report of operations under the *Municipal Improvements Assistance Act* for the year ended December 31, 1974, pursuant to section 11 of the said Act, Chapter M-16, R.S.C., 1970.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture to which was referred the Bill C-10, intituled: "An Act to amend the *Prairie Grain Advance Payments Act*", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance have power to sit while the Senate is sitting this afternoon and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Friday, 21st March, 1975, at eleven o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Langlois, for the adoption of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill

C-29, intituled: "An Act respecting Canadian business corporations".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Hayden moved, seconded by the Honourable Senator Langlois, that the Bill, as amended, be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill, as amended, was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill with certain amendments to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Inman, that the Bill C-373, intituled: "An Act to provide for the recognition of the Beaver (*Castor canadensis*) as a symbol of the sovereignty of Canada", be read the second time.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Everett, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

The Honourable Senator Petten for the Honourable Senator Neiman moved, seconded by the Honourable Senator Inman, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately four o'clock p.m., it was—

Resolved in the affirmative. 3.35 p.m.

The sitting of the Senate was resumed. 4.55 p.m.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Everett from the Standing Senate Committee on National Finance which was authorized to examine and report upon the expenditures set out in the Supplementary Estimates (D) laid before Parliament for the fiscal year ending the 31st March, 1975, presented the following Report:—

THURSDAY, March 20, 1975.

The Standing Senate Committee on National Finance, to which the Supplementary Estimates (D) laid before

Parliament for the fiscal year ending March 31, 1975 were referred, has in obedience to the order of reference of Thursday, March 4, 1975, examined the said Estimates and reports as follows:

1. In obedience to the foregoing, the Committee made a general examination of the Supplementary Estimates (D) and heard evidence from the Honourable J. Chrétien, President of the Treasury Board, and from the Program Branch of Treasury Board, Mr. B. A. MacDonald, Deputy Secretary, and Mr. R. L. Richardson, Assistant Secretary. Also the Honourable D. S. Macdonald, Minister of Energy, Mines and Resources, along with a number of his officials, appeared before the Committee to give evidence on government resource policy as reflected in these Estimates.

2. The Supplementary Estimates (D) total \$1,917 million and bring the total Estimates tabled for the fiscal year ending March 31, 1975 to \$28,233 million. It is noted that the Supplementary Estimates (A), (B), (C) and (D) total \$4,936 million increasing the original Main Estimates from \$23,297 million, which in percentage terms is an increase of 21 per cent. This increase in the size of Supplementary Estimates in relation to the original Main Estimates, which has been a matter of concern to your Committee because of its growth over the past few years, is approximately double the increase which took place in the fiscal year 1973-74.

3. Some of the largest items in the Supplementary Estimates in which your Committee showed particular interest are as follows:

- (a) payment to the Old Age Security Fund to make up the deficiency in the Fund—\$700 million;
- (b) payments in the 1974-75 and 1975-76 fiscal years in respect of Canada's financial participation in the development and exploitation of the Athabaska Tar Sands—\$138 million;
- (c) operating and capital expenditures in the various transportation programs of the Department of Transport—\$193 million;
- (d) payment to the Canadian National Railway Company for the deficit arising in the operations of the Canadian National Railways System in the calendar year 1974—\$45 million;
- (e) loans to Canadair Limited as approved by the Governor in Council, one without interest in connection with the Option Agreement to acquire the equity and notes of Canadair Limited for \$3.3 million, and one for the financing of water bombing aircraft for \$26 million—total \$29.3 million;
- (f) to increase from \$40 million to \$75 million the amount that may be outstanding at any time under the Supply Revolving Fund of the Department of Supply and Services—\$35 million; and
- (g) operating expenditures and grants for welfare services and for pensions in the Department of Veterans Affairs—\$20 million.

4. The Treasury Board has supplied your Committee with a list explaining the \$1 items in the Supplementary Estimates (D) which is attached as Appendix A to this report, as well as a document containing an explanation of various other items which is attached as Appendix B.

5. Your Committee is of the opinion that it would be useful to have included in Supplementary Estimates a table which would show a breakdown of expenditures into operating, capital and grants and contributions as is done in the Main Estimates. The President of the Treasury Board assured the Committee that this would be done in respect of the next Supplementary Estimates.

6. Your Committee also asked that it be provided with a list of items in these Supplementary Estimates where the Government may expect all or part of monies loaned or invested to be recovered and was told that this information could be provided.

7. The Minister of Energy, Mines and Resources tabled three documents with your Committee which dealt with the following subjects:

- (a) the option and the deficiency agreement between the Federal Government and Inter-Provincial Pipe Line Limited in connection with the Montreal extension of the Inter-Provincial Pipe Line System;
- (b) a statement by the Honourable D. S. Macdonald regarding the Syncrude Project; and
- (c) copies of studies relative to an evaluation of the Syncrude Project.

8. These papers generated questions to which the Minister and his officials responded to the satisfaction of the members of your Committee.

9. One area that concerns your Committee is the making of deficiency payments to the Inter-Provincial Pipe Line Limited in connection with the construction and operation of the Montreal extension as it is understood that there is to be no monitoring of the pipeline's construction. The Minister assured your Committee that the audit process, before payment is made, would apply the necessary safeguards to ensure that the pipeline would be constructed economically.

Respectfully submitted.

D. D. EVERETT,
Chairman.

APPENDIX "A" THE ESTIMATES (See p. 263)

APPENDIX "A" TO REPORT OF NATIONAL FINANCE COMMITTEE ON SUPPLEMENTARY ESTIMATES (D) EXPLANATION OF ONE DOLLAR ITEMS IN SUPPLEMENTARY ESTIMATES (D), 1974-75

Summary

The one dollar items included in these Estimates have been grouped in the attached schedules according to purpose.

A. One Dollar items authorizing transfers from one vote to another—21 items.

B. One Dollar items for grants—10 items.

C. One Dollar items authorizing the deletion of debts due the Crown and the reimbursement of certain working Capital Advance Accounts—7 items.

D. One Dollar items which authorize amendments to previous appropriation acts—3 items.

E. Miscellaneous—to authorize a guarantee, to increase the financial limits in other legislation, and to extend the interpretation of certain legislation—6 items.

SCHEDULE A

ONE DOLLAR ITEMS AUTHORIZING TRANSFERS FROM ONE VOTE TO ANOTHER—21 ITEMS

Agriculture

Vote 5d—Amount of transfer to this Vote \$189,299.

Explanation—This additional amount is required to cover price increases for livestock feeds, fuel oil, electricity, etc.

Vote 20d—Amount of transfer to this Vote \$346,118.

Explanation—The additional funds will be required to provide for the following:

(1) To provide for contributions of \$96,119 to the Province of Quebec to cover a portion of the administrative expenses and premiums paid under an Experimental Crop Insurance Program during the period April 1, 1973 to March 31, 1974.

(2) To provide \$250,000 for the federal share of payments to producers in accordance with an agreement with the Province of Manitoba for the purchase and transportation of hay required as a result of crop losses due to adverse weather.

Source of Funds—Vote 1—(\$535,417)—Administration expenditures for the Small Farm Development—Adjustment activity will be less than originally forecast.

Consumer and Corporate Affairs

Vote 1d—Amount of the transfer to this Vote \$706,999.

Explanation—The additional funds will be allocated as follows:

(1) To cover the cost of furnishings and equipment for the departmental headquarters at Place du Portage, Hull, and also price increases for certain contracts awarded. The delivery of these furnishings and equipment was delayed resulting in a carry-over of the account to the current fiscal year. (\$164,000)

(2) To provide for the cost of projects contracted out by the Policy Analysis Division. Due to difficulties in recruiting economic and policy analysis staff, work was commissioned to start required studies and a small research program. (\$100,000)

(3) To establish the Office of the Assistant Deputy Registrar General to administer the Conflict of Interest Guidelines. (\$193,000)

(4) To cover the cost of the transfer of the Registration Division from the Corporate Affairs Program. (\$50,000)

(5) To supplement the cost of a general advertising campaign involving T.V., radio and newspaper, to inform the public of services and programs provided by the Department. (\$200,000)

Source of Funds—Vote 5—(\$656,999)—Funds are available due to a late start in the expansion of the Consumer Fraud and Consumer Consulting activities and difficulties in staff recruitment.

—Vote 10—(\$50,000)—Funds are available due to transfer of the Registration Division from the Corporate Affairs Program.

Vote 15d—Amount of transfer to this Vote \$239,999.

Explanation—The additional funds are required to cover a carry-over of legal accounts and to cover fees and expenses incurred in the prosecution of sugar refineries under the *Combines Investigation Act*.

Source of Funds—Vote 5—Funds are available due to a late start in the expansion of the Consumer Fraud and Consumer Consulting activities and difficulties in staff recruitment.

Energy, Mines and Resources

Vote 1d—Amount of transfer to this Vote \$147,999.

Explanation—These additional funds are required to meet increased costs of Department of Supply and Services services, regular stocked items and freight charges, costs relating to the purchase of equipment and material, and printing charges.

Vote 15d—Amount of transfer to this Vote \$627,999.

Explanation—These additional funds will be required as follows:

1. To cover the increase in aircraft operating costs and additional summer students hired under the airborne survey program. (\$277,000)

2. To provide for the substantial increase in cost of lithographic materials. (\$154,000)

3. To meet the cost of additional staff required to carry out special Terrain Analysis studies (\$103,000)

4. To meet increased costs for service charges for services provided by Department of Supply and Services, commissionaire salaries, etc. (\$94,000)

Source of Funds—Vote 5—(\$775,998)—Funds are available within the program due to delays in the recruitment of qualified staff.

Environment

Vote 1d—Amount of transfer to this Vote \$82,999.

Explanation—The additional funds are required to provide for increases in Department of Supply and Services service charges (\$50,000), Department of National Health and Welfare nursing services (\$8,000) and Commissionaire Contract increases (\$25,000).

Vote 5d—Amount of transfer to this Vote \$1,958,444.

Explanation—The additional amounts will be used as follows:

(1) To provide \$1,159,445 for a deficit in salary funds arising from the requirement to hire Wardens and Guardians in the Fisheries Protection and Conservation Activity.

(2) To provide \$400,000 to cover the deficit for the operation of the Newfoundland Bait Service.

(3) To provide \$188,000 for the additional contributions required to meet Canada's share of increased costs of operations incurred by international fisheries commissions.

(4) To provide \$210,999 for increases in service charges announced by the Department of Supply and Services.

Vote 20d—Amount of transfer to this Vote \$856,763.

Explanation—Additional funds are required to meet unforeseen increased costs in the operation of weather forecasting and weather reporting services.

Vote 30d—Amount of transfer to this Vote \$659,999. In addition, authority is requested for the payment of a grant of \$1,000.

Explanation—Additional funds are required to cover the increased Federal share of losses by farmers for crops eaten by migrating waterfowl. The Main Estimates for the current year include contributions to the Prairie provinces of \$490,000 for this program. The increase is due to the late harvesting of cereal crops consequent upon the late spring and the crops being available to the migrating birds for a longer period.

It is proposed to provide a grant of \$1,000 to assist with the cost of a national symposium on the problems and opportunities generated by wildlife in urban areas.

Source of Funds:

<u>Votes Transferred To</u>	<u>Votes Transferred from</u>	
	<u>Vote 10</u>	<u>Vote 25</u>
Vote 1d	\$ 82,999	
Vote 5d	1,958,444	
Vote 20d		\$856,763
Vote 30d		659,999
	<hr/>	<hr/>
	\$2,041,443	\$1,516,762

Vote 10—Funds are available due to delays in certain major capital projects.

Vote 25—Expenditures for various major capital projects within this program will be less than originally forecast.

Justice

Vote 15d—Amount of transfer to this Vote \$114,999.

Explanation—These additional funds are required to cover printing costs of reports and informational material, salaries and other operating expenditures.

Vote 25d—Amount of transfer to this Vote \$288,999.

Explanation—Additional Funds are requested to cover the increased printing costs resulting from greater demands for Commission publications and the publishing of papers and studies which have been completed ahead of schedule.

Source of Funds—Vote 10—(\$303,998)—Payments to the provinces to assist in the operation of legal aid systems will be less than was originally forecast.

National Health and Welfare

Vote 25d—Amount of transfer to this Vote of \$499,999.

Explanation—Additional funds are requested to cover increased costs for goods and services including medical evacuations, drugs and good.

Source of Funds—Vote 45—Funds are available because of delays in project implementation and slow billings under the Guaranteed Income Experimental project.

Privy Council—Canadian Intergovernmental Conference Secretariat

Vote 5d—Amount of transfer to this Vote \$399,999.

Explanation—During 1974-75 there was a substantial increase in the demand for administrative support services which are provided by the Secretariat to various intergovernmental meetings. Additional funds are required to meet the cost of these services.

Source of Funds—Vote 1—Grants to the Institute for Research on Public Policy will be less than originally forecast.

Public Works

Vote 1d—Amount of transfer to this Vote \$795,999.

Explanation—These additional amounts will be used as follows:

(1) To provide \$180,000 for the costs of a Commission to review the present and future needs relative to the amount and type of accommodation and facilities that Parliament requires to operate.

(2) To provide \$616,000 to cover higher costs in the Administration Program to support the operational programs of the Department.

Vote 5d—Amount of the transfer to this Vote of \$279,999.

Explanation—To meet the cost of the development and maintenance of the Government of Canada Master Specifications system for government departments.

Vote 25d—Amount of transfer to this Vote \$485,999.

Explanation—It is proposed to carry out remedial work (shore protection) on the St. Lawrence River at Ste. Anne de Sorel, Matane and Champlain.

Source of Funds:

Votes Transferred To	Votes Transferred From		
	Vote 10	Vote 15	Vote 35
Vote 1d	\$179,999	\$339,000	\$277,000
Vote 5d	279,999		
Vote 25d		485,999	
	\$459,998	\$824,999	\$277,000

Vote 10—Funds are available due to the receipt of higher than forecast revenues in the Accommodation Program.

Vote 15—Funds are available due to delays in starting a number of capital projects.

Vote 35—Funds are available in the Transportation and Other Engineering Services Program because greater use was made of central support services in the Departmental Administration and the Professional and Technical Services Programs.

Regional Economic Expansion—Cape Breton Development Corporation

Vote 30d—Amount of transfer to this Vote \$12,099,999.

Explanation—Funds are required to cover operating losses in the Coal Division of the Cape Breton Development Corporation due to an increase in operating costs and a reduction in coal production in relation to forecast levels.

Source of Funds—Vote 10—Contributions under this program will be less than originally forecast.

Secretary of State—Company of Young Canadians

Vote 60d—Amount of transfer to this Vote \$549,999.

Explanation—The Company of Young Canadians in preparing its current budget did not provide for the Cost-of-Living increase nor for an increase in the number of volunteers. It is proposed to provide for these increased costs through a transfer of funds from the Arts and Culture Program of the Department.

Source of Funds—Vote 15—Due to delays in the Massey Hall project the total amount of the grant for this purpose will not be required.

Transport

Vote 45d—Amount of transfer to this Vote \$310,748.

Explanation—It is proposed to provide contributions to the Algoma Central Railway and the Toronto, Hamilton and Buffalo Railway Company as compensation to these two railway companies for freight rate increases foregone in 1973. These companies applied too late for payment to be made out of 1973-74 funds.

Source of Funds—Vote 40—Funds are available due to delays in initiating several ferry service projects and in the site selection for the Motor Vehicle Test Centre.

Vote 55d—Amount of transfer to this Vote \$1,531,999.

Explanation—The additional funds are required for the operating deficit and related expenses incurred by the STOL Demonstration Service.

Source of Funds—Vote 1—Funds are available due to delays in the design and construction of the Transport Training Institute.

SCHEDULE B ONE DOLLAR ITEMS FOR GRANTS (10 ITEMS)

Consumer and Corporate Affairs

Vote 5d—To authorize grants totalling \$225,000.

Explanation—It is proposed to provide assistance to consumer associations to enable them to provide a consumer advocacy role before federal regulatory and administrative tribunals.

Source of Funds—Vote 5—Anticipated expenditures will be less than originally forecast since some of the funds originally allotted to the Consumer Help Office Project will not be required.

Vote 25d—To authorize a grant of \$15,000.

Explanation—An additional grant is required for the World Intellectual Property Organization due to fluctuating foreign exchange rates. A grant has already been provided of \$75,000 to this Organization.

Source of Funds—Vote 25—Printing costs under this program will be less than originally forecast.

External Affairs

Vote 10d—To authorize a grant of \$50,000.

Explanation—As a result of increased costs for goods, services and utilities for La Maison canadienne of Paris will require a grant to meet its operating and maintenance deficit.

Source of Funds—Vote 10—A portion of the grant of \$268,000 to the St. Malo Cathedral will not be required in the current year.

Justice

Vote 10d—To authorize a grant of \$500.

Explanation—It is proposed to provide an additional grant of \$500 to l'Institut international de droit d'expression française. The Main Estimates for the current fiscal year provided a grant of \$1,500 to l'Institut; the additional amount is required to cover the cost of the annual review to be published by l'Institut.

Source of Funds—Vote 10—Payments to the provinces for the operation of legal aid systems will be less than was originally forecast.

Labour

Vote 1d—To authorize grants totalling \$50,000.

Explanation—It is proposed to provide additional grants of \$10,000 and \$40,000 respectively to assist workers under the Transitional Assistance Benefits and Adjustment Assistance Benefits Programs. These additional grants will be used to meet increased demands for assistance due to a high level of unemployment. The original Estimates

for the current year provided a sum of \$50,000 for Transitional Assistance Benefits and \$375,000 for Adjustment Assistance Benefits.

Source of Funds—Vote 1—Forecast expenditures for administration will be less than originally expected. National Health and Welfare

Vote 45d—To authorize grants totalling \$15,000.

Explanation—It is proposed to provide family assistance grants to children of immigrants and settlers on a retroactive basis. The new Family Allowance Act provides assistance to these children from January 1974. Some applications have been received for benefits prior to that date and authority is now being sought to make these payments.

Source of Funds—Vote 45—Funds are available because of delays in project implementation and slow billings under the Guaranteed Income Experimental project.

Secretary of State

Vote 15d—To authorize grants totalling \$285,000.

Explanation—The additional funds will be used for the following purposes:

(1) To provide a further sustaining grant of \$125,000 to the Fathers of Confederation Building Trust, Charlottetown, P.E.I. The original Estimates for the current fiscal year provided a grant of \$500,000 for this purpose.

(2) To provide a grant of \$160,000 to the Canadian Publishers Project Coordinating Committee for the purpose of assisting in the promotion and distribution of Canadian books.

Source of Funds—Vote 15—Forecast requirements for the Cultural Statistics Program will be less than was originally expected.

Vote 20d—To authorize a grant of \$150,000.

Explanation—It is proposed to make a grant to support the work of the Canadian Studies Foundation. This grant is to be matched by an equal grant from the Canadian Council of Education Ministers. It will be used to develop curriculum material for the teaching of Canadian studies for use in elementary and secondary schools.

Source of Funds—Vote 20—Funds are available due to delays in the recruitment of qualified staff for Policy Analysis Division and from research grants which will not be required in the current year.

Vote 35d—To authorize grants totalling \$481,000 as well as a transfer of \$480,999 to this Vote.

Explanation—The additional funds will be used for the following purposes:

(1) To increase the grants allocated for the International Women's Year Program in order to assist organizations with the financing of projects or cultural events. (\$415,000)

(2) To increase the grants to the Institut canadien pour l'Éducation des adultes and the Canadian Association of Adult Education to \$75,000 and \$50,000 respectively in support of their activities for the promotion of adult education and citizenship. (\$66,000)

Source of Funds—Vote 30—Funds were originally provided for the International Women's Year Program under the Operating Vote. It is now proposed to provide this

assistance in the form of grants. In addition, a further \$66,000 is also available due to under-expenditures for professional and special services.

Secretary of State—National Museums of Canada

Vote 90d—To authorize a grant of \$4,000,000.

Explanation—It is proposed to provide a grant to the Art Gallery of Ontario to assist in the construction of the next stage of their building program so as to enhance the education and information services to the public.

Source of Funds—*Vote 90*—Funds will be available under the National Museums Policy Contribution Program because payments formerly paid in advance are now made on a progress basis.

SCHEDULE C

ONE DOLLAR ITEMS AUTHORIZING THE DELETION OF DEBTS DUE THE CROWN AND THE REIMBURSEMENT OF CERTAIN WORKING CAPITAL ADVANCE ACCOUNTS (7 ITEMS)

Public Works

Vote 20d—Authority is requested for the deletion of certain debts totalling \$8,982.41 and for the transfer to this vote of \$349,999.

Explanation—Additional funds are required for the repair of a ferry terminal wharf at Tadoussac, P.Q.

It is proposed to write-off debts incurred by a shipbuilding company which has gone into receivership without sufficient resources to meet its outstanding debt. These services were provided in 1970 and the write-off of this debt has been approved by the Interdepartmental Committee on Uncollectable Debts.

Source of Funds—*Vote 15*—Funds are available due to delays in the commencement of a number of projects.

Regional Economic Expansion

Vote 1d—To authorize the reimbursement of the Prairie Farm Rehabilitation Stores Working Capital Advance Account in the amount of \$10,342.

Explanation—Authority is requested to reimburse the Working Capital Advance Account for the value of stores which have been declared obsolete and transferred to the Crown Assets Disposal Corporation for disposal.

Solicitor General

Vote 5d—To authorize the reimbursement of certain Working Capital Advance Accounts for the value of stores which have become obsolete, unserviceable, lost or destroyed.

Explanation—It is proposed to reimburse the Industrial and Stores Working Capital Advance Account in the amount of \$1,023.12 for the value of stores lost by fire or declared as obsolete to the Crown Assets Disposal Corporation.

It is also proposed to provide a reimbursement of \$13,787.11 to the Operational Stores Working Capital Advance Account to cover the value of stores declared as obsolete to the Crown Assets Disposal Corporation, lost by fire or otherwise certified by Departmental Boards of Enquiry as being unserviceable, lost or destroyed.

Solicitor General—Royal Canadian Mounted Police

Vote 20d—To extend the purposes of this vote so as to reimburse the Royal Canadian Mounted Police Clothing and Kit Working Capital Advance Account in the amount of \$4,488.

Explanation—It is proposed to reimburse the Clothing and Kit Working Capital Advance Account for the value of unilingual shoulder badges which have become obsolete.

Veterans Affairs

Vote 5d—Authority is requested to delete debts totalling \$78,294.91.

Explanation—The Interdepartmental Committee on Uncollectable Debts has recommended the deletion of these debts classified as uncollectable. The debts arose mostly from overpayments resulting from undeclared income or the failure to advise of changed marital status. Of the twelve cases involved, two debtors have died with no known estate and balance are indigent.

Vote 30d—Authority is requested to delete debts totalling \$65,309.32.

Explanation—It is proposed to delete debts which are considered to be uncollectable for some eight pension recipients. Of these cases, three of the debtors died with no known estate, two are indigent, one case is classified as a liability not admitted and successful collection proceedings are unlikely and the balance are cases where the existence of an enforceable debt cannot be readily established. These debts have been reviewed by the Interdepartmental Committee on Uncollectable Debts and certified as being uncollectable by the Canadian Pension Commission. The debts have resulted mostly through overpayments resulting from undeclared income or the failure to advise of changes in marital status.

Vote 45d—Authority is requested to delete debts totalling \$61,192.33.

Explanation—It is proposed to write-off the uncollectable portion of a debt for a veteran confined to mental hospitals from the time of his discharge from the Army in 1919 until his death in 1973. The Department has recovered wherever possible and it is now proposing with the approval of the Interdepartmental Committee on Uncollectable Debts to write-off the balance. The veteran was not eligible for treatment because the condition pre-existed his enlistment.

SCHEDULE D

ONE DOLLAR ITEMS WHICH AUTHORIZE AMENDMENTS TO PREVIOUS APPROPRIATION ACTS (3 ITEMS)

Agriculture

Vote L26d—To extend the authority of the Racetrack Supervision Revolving Fund.

Explanation—It is proposed to extend the activities within the Revolving Fund to include the carrying out of chemical research relating to the use of drugs on horses and for the development of improved techniques for race surveillance.

Industry, Trade and Commerce

Vote 1d—To extend the vote wording so as to insure loans by private lenders to Canadian manufacturers until

January 1, 1979 and to transfer an amount of \$299,999 to this vote.

Explanation—It is proposed to extend the authority under the General Adjustment Assistance Program from January 1, 1976 to January 1, 1979, to insure loans by private lenders to Canadian manufacturers. These loans provide for the restructuring and modernization of facilities.

In addition, a transfer of funds is requested to help meet the legal, accounting and appraisal fees incurred in negotiating the option agreements with Canadair and de Havilland of Canada. These expenditures were not anticipated when the Main Estimates were prepared.

Source of Funds—Vote 35—Funds are available due to delays in certain transportation studies.

Manpower and Immigration

Vote 10d—To extend the time limit for capital expenditures on Occupational Training facilities from 1975-76 to 1980-81 inclusive.

Explanation—It is proposed to extend the Capital Assistance Phase-Out Program for a further five years. This extension will permit the provinces and territories to account for funds provided to them under the program for the phase-out of federal payments following the termination in 1967 of the Technical and Vocational Training Act.

SCHEDULE E

MISCELLANEOUS—TO AUTHORIZE A GUARANTEE, TO INCREASE THE FINANCIAL LIMITS IN OTHER LEGISLATION, AND TO EXTEND THE INTERPRETATION OF CERTAIN LEGISLATION (6 ITEMS)

Energy, Mines and Resources

Vote 5d—To authorize the entering into of an agreement with the Interprovincial Pipe Line Limited.

Explanation—Authority is requested to enter into a Deficiency Payments Agreement with Interprovincial Pipe Line Limited related to the construction and operation of the Montreal extension of the Interprovincial Pipe Line system and to ensure that any tolls or tariffs allowed or prescribed by the National Energy Board in respect to this agreement shall be deemed not to make, contain or result in unjust discrimination within the meaning of the National Energy Board Act.

Finance

Vote 1d—To amend the Canada Student Loan Act and to authorize the deletion of debts totalling \$75,087.18.

Explanation—It is proposed to seek authority for the following purposes:

(1) To increase the annual loan limit under the Canada Student Loans Act from \$1,400 to \$1,800 (from \$700 to \$900 for a semester). This increase is recommended in order to provide more aid to needy students to help cover increased educational costs. The current overall borrowing limit of \$9,800 is not being changed.

(2) To increase the basic loan provision so as to provide adequate funds to cover the increased borrowing which will follow the loan limit change. Under the current formula the basic loan provision plus the Sup-

plementary Loan Provision for 1975-76 is estimated at \$143,000,000, whereas, projections on the new loan limits indicate requirements of up to \$175,000,000. The Estimates assume no change in current provincial practice respecting the loan to grant "mix" of provincial student aid plans.

(3) To delete eight debts totalling \$75,087.18 which have been approved as uncollectable by the Standing Interdepartmental Committee on Uncollectable Debts. Three of these relate to Farm Improvement Loans and five to Small Business Loans.

Vote 17d—Authority is requested to provide for the transfer of certain Canada Savings Bonds between a trust governed by a Registered Retirement Savings Plan, a Pension Fund or Plan or a Profit-Sharing Plan and a Beneficiary thereof, and for the registration of the bond in the name of the Trust.

Explanation—Provision does not exist for the transfer of Canada Savings Bonds to a Trustee of a Registered Retirement Savings Plan, Profit Sharing Plan or Pension Fund Plan. On February 7, 1975 the Minister of Finance announced that this restriction would be eliminated from those issues now outstanding and that any such bonds purported to have been paid at any time by a taxpayer as a premium under a Registered Retirement Savings Plan shall be deemed to have been acquired as a qualified investment by the Trust. This proposed vote wording will provide for the implementation of this announcement.

Vote L18d—Authority is requested through this vote wording to clarify the meaning of the term "United States dollars" as it applies under section 5 of the Bretton Woods Agreements Act and under Finance Vote L37d, Appropriation Act No. 1, 1970.

Explanation—Under the Articles of Agreement of the International Monetary Fund, Canada's quota is stipulated in terms of Special Drawing Rights Units of Account. Until 1971, one Special Drawing Rights Unit was equal in value to one United States dollar. As a result of the formal devaluations of the United States dollar, this identity was lost and the value of the Special Drawing Rights Unit in terms of United States dollars was increased, requiring Canada to make "maintenance of value" payments to keep the Fund's holdings of Canadian dollars consistent with their value in Special Drawing Rights Units.

This obligation was met in 1972 and again in 1973 through the use of special votes in Appropriation Acts. It is intended that the vote wording will clarify the technical definition of Canada's International Monetary Fund obligation so that further maintenance of value payments can be made when required.

Indian Affairs and Northern Development

Vote 30d—To extend the purpose of this Vote so as to amend the Canada Mining Regulations in respect of the number of mineral claims staked by an individual and to authorize the deletion of debts totalling \$76,802.14.

Explanation—Authority is requested to amend the Canada Mining Regulations or any lease thereof so as to ensure that any claim shall not be held to be invalid by reason only that there are in excess of 36 mineral claims located within an area shown on a mineral claim staking

sheet in a licence year by a person or someone on his behalf.

In addition, authority is requested for the deletion from the Accounts of Canada of the Crown's claim against a mining company which is now defunct. The debt amounting to \$76,802.14 has been approved by the Interdepartmental Committee on Uncollectable Debts.

National Defence

Vote 1d—To authorize an extension to the present Vote wording and to authorize the transfer of \$6,999,999 to this Vote.

Explanation—Authority is requested to extend the National Defence Act so as to provide for the inclusion of girls under the Cadet Training Program for 1975 and thereafter and to provide them with the same allowances as boys.

In addition authority is requested to transfer \$6,999,999 to cover increased operating expenditures to the Defence program.

Source of Funds—Vote 5—Capital expenditures will be less than originally forecast due to the deferral of certain projects and delays in others.

APPENDIX "B"

APPENDIX "B" TO REPORT OF NATIONAL FINANCE COMMITTEE ON SUPPLEMENTARY ESTIMATES (D)

ENERGY, MINES AND RESOURCES—VOTE 47d

Eldorado Nuclear Limited

Pages 22 and 23—Supplementary Estimates (D) 1974-75

In January, 1974 a \$15 million five-year exploration program for Eldorado Nuclear Limited was announced. The program would be financed by the Federal Government, and this exploration for uranium ore would assist in establishing and maintaining adequate Canadian uranium reserves which could be economically exploited under current and projected technology and market conditions. The \$1.7 million covered by this Vote represents the financing for the first year of the exploration program.

ENVIRONMENT—VOTE 15d

Fisheries and Marine Program

Pages 26 and 27—Supplementary Estimates (D) 1974-75

This Vote provides for two items:

- (1) Grants of \$4 million to Canadian producers of frozen and canned groundfish, crab meat and lobster meat.
- (2) Contributions of \$4 million to Canadian producers of groundfish products in order to maintain fishing operations during the months of January, February and March.

The grants are to finance the extension of the cold storage assistance and inventory financing aspects of the groundfish price stabilization program from October 31, 1974 to March 31, 1975. This program was originally scheduled from July 31 to October 31, 1974, and was implemented last summer to assist fishermen who would have suffered a drop in prices due to the severely depressed U.S.

groundfish market. The market conditions had resulted in a high inventory build-up and producers were offered storage assistance on the condition they would maintain prices to the fishermen.

The contributions are to provide interim assistance to groundfish producers through deficiency payments to producers who continue production. This program was announced on December 20, 1974 and is part of a \$21 million program which also includes the purchasing and canning of frozen groundfish to be used in the World Food Program and the provision of working capital loans to fish processing plants in Newfoundland and Labrador that were affected by the severe ice conditions in May and June, 1974. This interim program will terminate on April 30, 1975.

EXTERNAL AFFAIRS—VOTE 26d

Canadian International Development Agency

Pages 34 and 35—Supplementary Estimates (D) 1974-75

The purpose of this Vote is twofold:

- (1) to forgive loans made by the Federal Government to the Export Development Corporation (EDC) for the purpose of financing agreements between the Corporation and the Government of Bangladesh; and
- (2) to authorize the EDC, in return, to forgive Bangladesh its obligations under those agreements.

The debts being forgiven by the EDC relate to four loans made by the Corporation to Pakistan between 1962 and 1969, for the purchase of power generation, paper mill and locomotive equipment for use in East Pakistan. These debts were taken over by the Government of Bangladesh upon the formation of that state, and are being forgiven in accordance with a decision of the Bangladesh Aid Group (an international aid consortium of which Canada is a member) to provide debt relief to that country.

Since the EDC is writing off these debts at the request of the Government rather than at the direction of its Board, a compensatory adjustment is being made in the Corporation's debt to the Consolidated Revenue Fund.

This item is in fact only an accounting adjustment which does not involve a new cash flow. It appears under CIDA's Estimates because the action is being taken on development assistance grounds.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT—VOTE 40d

Northern Affairs Program

Pages 48 and 49—Supplementary Estimates (D) 1974-75

The major portion of this Vote is for a transfer payment to the Government of the Northwest Territories, to provide for salary and price increases during 1974-75 which could not be fully absorbed by the NWT Government. The \$2 million is essentially to assist the NWT Government in meeting the requirements of new salary settlements negotiated with the NWT Public Service Association and the NWT Teachers Association. Total wage settlements for these associations involved increases in the order of 15 percent, as opposed to the 6 percent that had been provided for in Main Estimates. Similar assistance was given to the Government of the Yukon Territory through an item in Supplementary Estimates (B) 1974-75.

Another item covered by this Vote is a contribution to the NWT Government of \$547 thousand for the development of a townsite at Strathcona Sound, NWT. In June, 1974 the Federal Government entered into an agreement with a Canadian company, Mineral Resources International, concerning government assistance to the company for the development of a lead/zinc mine at Strathcona Sound. Under the agreement, the government would provide development assistance in the amount of \$18.3 million over a three-year period commencing in 1974-75. The funds would be used for a dock, an airport, roads and townsite development. Appropriate amounts for 1975-76 and 1976-77 will be included in the Main Estimates of Transport and Indian Affairs accordingly. However, no funds were provided in 1974-75 Estimates for this project. The NWT Government is acting as project manager for the townsite development, and this contribution would cover site planning, leasing and other pre-construction expenses.

REGIONAL ECONOMIC EXPANSION—VOTE L12d

Pages 92 and 93—Supplementary Estimates (D) 1974-75

This Vote is to authorize a Working Capital Advance of \$1.5 million that would allow the Prairie Farm Rehabilitation Administration (PFRA) to carry the recoverable portion of the costs of projects, pending repayment by the provinces, that are undertaken pursuant to federal-provincial agreements on Agricultural Service Centres and Community Water Projects in the Prairie provinces.

This Working Capital Advance is required because the payment terms of the agreements are such that provincial contributions to project costs are not usually available at the time the expenditures are being incurred, imposing a problem to PFRA of temporarily re-allocating available cash from within its overall program budget.

TRANSPORT—VOTE 20d

Air Transportation Program

Pages 114 and 115—Supplementary Estimates (D) 1974-75

The major item within the total of \$139,512,600 for this Vote is \$136,279,600 for crediting to the Airports Revolving Fund. These costs were incurred through the acquisition of the peripheral lands for the new Montreal International Airport at Mirabel, Quebec, the development of the lands and interest on funds borrowed from the Federal Government. The credit reflects the transfer of these peripheral lands from the Ministry of Transport to the Department of Public Works on 1 April, 1975. An additional amount of \$7,295,469 is credited in Transport Vote 15d for operating losses in a similar manner, bringing the total amount of the transfer to \$143,575,069. This item is in fact only an accounting adjustment which does not involve a new cash flow.

The remaining \$3,233,000 is required for a number of capital projects in progress across Canada. In addition, \$5,000,000 contained in Transport Vote 25 (Grants and Contributions) for payments to former owners of property expropriated in connection with the new airport at Mirabel, Quebec, is expected to lapse due to the delay in settlements in this fiscal year. These funds are to be transferred into Vote 20 (Capital Expenditures).

The additional capital funds will go toward the continuation of various projects which include: land acquisition for the Calgary International Airport expansion and the Vancouver International Airport; runways at Fort St. John, British Columbia and London, Ontario; airport development at La Ronge and Saskatoon, Saskatchewan, and St. John's, Newfoundland; and the new air traffic control tower at Mirabel, Quebec. The escalation of construction costs and the rapid pace of construction on many projects has created the requirement for additional funds.

NATIONAL HEALTH AND WELFARE—VOTE 46d
Pages 70 and 71—Supplementary Estimates (D) 1974-75

OLD AGE SECURITY FUND⁽¹⁾

(millions of dollars)

	<u>1970-71</u>	<u>1971-72</u>	<u>1972-73</u>	<u>1973-74</u>	<u>1974-75</u>
Receipts:					
From Taxes	1,914.2	2,118.0	2,219.0	2,496.5	2,740.0
Credit from Appropriations	—	—	—	235.0 ⁽²⁾	700.0 ⁽³⁾
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	1,914.2	2,118.0	2,219.0	2,731.5	3,440.0
Payments	1,907.2	2,205.3	2,524.3	3,034.5	3,463.0
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Surplus/(Deficit)	7.0	(87.3)	(305.3)	(303.0)	(23.0)
Deposits with Receiver General	7.0	(87.3)	(305.3)	(303.0)	(23.0)
Balance at beginning of year	721.4	728.4	641.1	335.8	32.8
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Balance at Close of Year	728.4	641.1	335.8	32.8	9.8

1) Source for 1970-71 to 1973-74 is Public Accounts.

Source for 1974-75 is Treasury Board estimate.

2) Supplementary Estimates (B) 1973-74.

3) Supplementary Estimates (D) 1974-75.

With leave of the Senate,

The Honourable Senator Everett moved, seconded by the Honourable Senator Sparrow, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
 Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
 Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 66

Friday, 21st March, 1975

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Basha,
Bélisle,
Benidickson,
Bourget,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West)

Cook,
Cottreau,
Denis,
Duggan,
Eudes,
Fergusson,
Flynn,
Forsey,

Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Grosart,
Inman,
Lafond,
Lamontagne,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
McGrand,
McIlraith,
Michaud,
Neiman,
O'Leary,

Perrault,
Petten,
Prowse
Quart,
Riel,
Riley,
Robichaud,
Sparrow,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by the Clerk in the following words:—

WEDNESDAY, March 19, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Daudlin has been substituted for that of Mr. Caccia on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-54, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the second time now.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Quart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-55, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the second time now.

After debate,

The Honourable Senator Grosart for the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Quart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the operations of the *Shipping Conferences Exemption Act* for the year ended December 31, 1974, pursuant to section 12 of the said Act, Chapter 39 (1st Supplement), R.S.C., 1970.

Report of the Canadian Transport Commission for the year ended December 31, 1974, pursuant to section 28(2) of the *National Transportation Act*, Chapter N-17, R.S.C., 1970.

Report of the Custodian of Enemy Property for the year ended December 31, 1974, pursuant to section 3 of the *Trading with the Enemy (Transitional Powers) Act*, Chapter 24, Statutes of Canada, 1947.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 24th March, 1975, at eight o'clock in the evening.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-10, intituled: "An Act to amend the *Prairie Grain Advance Payments Act*", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Fergusson, P.C., seconded by the Honourable Senator Inman, for the second reading of the Bill C-373, intituled: "An Act to provide for the recognition of the Beaver (*Caster canadensis*) as a symbol of the sovereignty of Canada".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Inman, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Petten, that the Bill C-223, intituled: "An Act to amend the Criminal Code (the National Flag of Canada)", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn,

P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 67

Monday, 24th March, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Basha,
Benidickson,
Bonnell,
Bourget,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Denis,
Duggan,
Eudes,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Grosart,
Hicks,
Inman,
Lafond,
Langlois,
Lapointe,
Lefrançois,

Macdonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Neiman,
O'Leary,
Paterson,
Perrault,

Petten,
Phillips
Prowse,
Quart,
Riley,
Robichaud,
Smith,
Sparrow,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill C-29, intituled: "An Act respecting Canadian business corporations",

And to acquaint the Senate that the Commons have agreed to the amendments made by the Senate to this Bill, without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-48, intituled: "An Act to amend the Railway Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Wednesday next, 26th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Wednesday next, 26th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-26, intituled: "An Act to amend the Civil Service Insurance Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Wednesday next, 26th March, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the Quinquennial Actuarial Examination on the state of the Superannuation Account in the Consoli-

dated Revenue Fund as at December 31, 1972, pursuant to section 35 of the *Public Service Superannuation Act*, Chapter P-36, R.S.C., 1970.

Report on the Quinquennial Actuarial Examination on the state of the Public Service Death Benefit Account in the Consolidated Revenue Fund as at December 31, 1972, pursuant to section 48 of the *Public Service Superannuation Act*, Chapter P-36, R.S.C., 1970.

Report on the administration of the *Public Service Superannuation Act*, Parts I and II, for the fiscal year ended March 31, 1974, pursuant to sections 36 and 49 of the said Act, Chapter P-36, R.S.C., 1970.

Report on the administration of the *Supplementary Retirement Benefits Act* for the fiscal year ended March 31, 1974, pursuant to section 11 of the said Act, Chapter 43 (1st Supplement), R.S.C., 1970.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Tuesday, 25th March, 1975, at eleven o'clock in the forenoon.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Foreign Affairs and the Standing Senate Committee on Legal and Constitutional Affairs have power to sit while the Senate is sitting tomorrow, Tuesday, 25th March, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Inman, that the Bill C-373, intituled: "An Act to provide for the recognition of the Beaver (*Castor Canadensis*) as a symbol of the sovereignty of Canada", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Inman, that the Bill C-223, intituled: "An Act to amend the Criminal Code (the National Flag of Canada)", be read the third time.

After debate,

The Honourable Senator Prowse moved, seconded by the Honourable Senator Côté, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-54, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-55, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the

National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately ten thirty o'clock p.m., it was—

Resolved in the affirmative.

9.50 p.m.

The sitting of the Senate was resumed.

10.25 p.m.

A Message was brought from the House of Commons by their Clerk with a Bill C-56, intituled: "An Act to provide for the resumption and continuation of longshoring and related operations at ports on the west coast of Canada", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,
The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read the second time now.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,
The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read the third time now.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

MARCH 24, 1975.

Madam,

I have the honour to inform you that the Honourable R. G. B. Dickson, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 24th day of March, at 11.30 p.m. for the purpose of giving Royal Assent to certain bills.

I have the Honour to be,
Madam,
Your obedient servant,

ANDRÉ GARNEAU,
Brigadier General,

Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to

await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Robert G. B. Dickson, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Honourable the Speaker said—

"Honourable Members of the Senate:

Members of the House of Commons:

I have the honour to inform you that His Excellency the Governor General has been pleased to cause Letters Patent to be issued under His Sign Manual and Signet constituting the Honourable Robert G. B. Dickson, Puisne Judge of the Supreme Court of Canada, his Deputy, to do in His Excellency's name all acts on his part necessary to be done during His Excellency's pleasure."

The said Commission was then read by the Clerk Assistant as follows:—

CANADA

JULES LÉGER
(G.S.)

BY HIS EXCELLENCY the Right Honourable JULES LÉGER, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Governor General and Commander-in-Chief of Canada.

TO THE HONOURABLE ROBERT G. B. DICKSON, a Puisne Judge of the Supreme Court of Canada,

GREETING:

KNOW YOU that being well assured of your loyalty, fidelity and capacity, I, the Right Honourable Jules Léger, Governor General of Canada, under and by virtue of and in pursuance of the power and authority vested in me by the Commission of Her Majesty Queen Elizabeth II,

under the Great Seal of Canada, dated October 5, 1973, constituting and appointing me to be Governor General of Canada do hereby nominate, constitute and appoint you the said Robert G. B. Dickson, to be my Deputy within Canada and in that capacity to exercise, subject to any limitations or directions from time to time expressed or given by Her Majesty, all the powers, authorities and functions vested in and of right exercisable by me as Governor General, saving and excepting the power of dissolving the Parliament of Canada.

PROVIDED ALWAYS that the appointment of my said Deputy shall not affect the exercise of any such power, authority or function by me, the said the Right Honourable Jules Léger, in person.

AND PROVIDED ALWAYS, that you the said Robert G. B. Dickson, shall, during your continuance as my Deputy obey all such orders and instructions as you shall from time to time receive from me.

GIVEN under my hand and seal at Ottawa, this fourteenth day of January in the year of our Lord one thousand nine hundred seventy-four and in the twenty-second year of Her Majesty's Reign.

BY COMMAND,

P. M. PITFIELD,
Deputy Registrar General of Canada.

Ordered, That the commission be placed upon the Journals.

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to provide for the resumption and continuation of longshoring and related operations at ports on the west coast of Canada

An Act respecting Canadian business corporations

An Act to amend the Prairie Grain Advance Payments Act

An Act to provide for the recognition of the Beaver (*Castor canadensis*) as a symbol of the sovereignty of Canada.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator McIlraith, P.C.:

That, notwithstanding Rule 47(2), the Order of the Senate of this day, that when the Senate adjourns today, it do stand adjourned until tomorrow, Tuesday, 25th March, 1975, at eleven o'clock in the forenoon, be rescinded.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator McIlraith, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 68

Tuesday, 25th March, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lefrançois,	Petten,
Asselin,	Côté,	(<i>Restigouche-</i>	Macdonald,	Phillips,
Basha,	Cottreau,	<i>Gloucester</i>),	McDonald,	Prowse,
Benidickson,	Croll,	Godfrey,	McElman,	Quart,
Bonnell,	Davey,	Goldenberg,	McGrand,	Riel,
Bourget,	Denis,	Graham,	McIlraith,	Riley,
Buckwold,	Deschatelets,	Grosart,	McNamara,	Robichaud,
Burchill,	Duggan,	Hicks,	Michaud,	Smith,
Cameron,	Eudes,	Inman,	Molgat,	Sparrow,
Carter,	Fergusson,	Lafond,	Neiman,	Sullivan,
Choquette,	Flynn,	Lamontagne,	O'Leary,	van Roggen,
Connolly	Forsey,	Langlois,	Paterson,	Williams,
(<i>Ottawa West</i>),	Fournier	Lapointe,	Perrault,	Yuzyk.
	(<i>de Lanaudière</i>),	Lawson,		

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, March 24, 1975.

Ordered,— That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Brewin has been substituted for that of Mr. Orlikow on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Central Mortgage and Housing Corporation, together with a statement of accounts certified by the Auditors, for the year ended December 31, 1974, pursuant to section 33 of the *Central Mortgage and Housing Corporation Act*, Chapter C-16, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report respecting operations of the *Medical Care Act* for the fiscal year ended March 31, 1974, pursuant to section 9 of the said Act, Chapter M-8, R.S.C., 1970.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Fergusson, P.C., seconded by the Honourable Senator Inman, for the third reading of the Bill C-223, intituled: "An Act to amend the Criminal Code (the National Flag of Canada)",

It was—

Ordered, That it be postponed until later this day.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-54, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-55, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

MARCH 25, 1975

Madam,

I have the honour to inform you that the Honourable Wishart F. Spence, O.B.E., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 25th day of March, at 5.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,

Your obedient servant,

ANDRÉ GARNEAU,
Brigadier General,

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Yuzyk resumed the debate on the motion of the Honourable Senator Fergusson, P.C.,

seconded by the Honourable Senator Inman, for the third reading of the Bill C-223, intituled: "An Act to amend the Criminal Code (the National Flag of Canada)".

After debate,

In amendment, the Honourable Senator Yuzyk moved, seconded by the Honourable Senator O'Leary, that the Bill be not now read the third time but that it be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion in amendment, it was—

Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative.

3.20 p.m.

The sitting of the Senate was resumed.

5.50 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Honourable the Speaker of the Commons addressed the Honourable the Deputy of His Excellency the Governor General, as follows:—

"May it Please Your Honour:

The Commons of Canada have voted supplies required to enable the Government to defray certain expenses of the public service:

In the name of the Commons, I present to Your Honour the following Bills:—

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1975.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976.

To which Bills I humbly request Your Honour's Assent."

After the Clerk Assistant read the titles of the Bills,—

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General thanks her loyal subjects, accepts their benevolence, and assents to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Wednesday, 26th March, 1975, at ten o'clock in the forenoon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Molgat,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 69

Wednesday, 26th March, 1975

10.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Basha,
Beaubien,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West).

Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Duggan,
Eudes,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Grosart,
Hicks,
Lafond,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,

Macdonald,
Manning,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Neiman,
O'Leary,
Paterson,
Perrault,
Petten,

Phillips,
Prowse,
Quart,
Riel,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
van Roggen,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-46, intituled: "An Act to amend the National Housing Act", to which they desire the concurrence of the Senate.

The Bill was then read the first time.

With leave of the Senate,

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill be read a second time later this day.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-48, intituled: "An Act to amend the Railway Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-26, intituled: "An Act to amend the Civil Service Insurance Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to Order, the Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill C-46, intituled: "An Act to amend the National Housing Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be committed to a Committee of the Whole presently.

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate was accordingly adjourned during pleasure and put into a Committee of the Whole on the Bill, the Honourable Senator Bourget, P.C., in the Chair.

—In the Committee—

Pursuant to Rule 18 of the Rules of the Senate, the Honourable Barnett J. Danson, P.C., Minister of State for Urban Affairs, was escorted to a seat in the Senate Chamber.

The Title of the Bill was read and postponed.

Clause 1 of the Bill was read.

After debate,
Further debate on Clause 1 of the Bill was postponed.

Clause 2 of the Bill was read.

After debate, and—
The question of concurrence being put on clause 2 of the Bill, it was—
Resolved in the affirmative.

Clause 3 of the Bill was read.

After debate, and—
The question of concurrence being put on clause 3 of the Bill, it was—
Resolved in the affirmative.

Clause 4 of the Bill was read.

After debate, and—
The question of concurrence being put on clause 4 of the Bill, it was—
Resolved in the affirmative.

Clause 5 of the Bill was read.

After debate, and—
The question of concurrence being put on clause 5 of the Bill, it was—
Resolved in the affirmative.

Clause 6 of the Bill was read.

The question of concurrence being put on clause 6 of the Bill, it was—
Resolved in the affirmative.

Clause 7 of the Bill was read.

The question of concurrence being put on clause 7 of the Bill, it was—
Resolved in the affirmative.

Clause 8 of the Bill was read.

After debate, and—
The question of concurrence being put on clause 8 of the Bill, it was—
Resolved in the affirmative.

Clause 9 of the Bill was read.

The question of concurrence being put on clause 9 of the Bill, it was—
Resolved in the affirmative.

Clause 10 of the Bill was read.

After debate, and—
The question of concurrence being put on clause 10 of the Bill, it was—
Resolved in the affirmative.

Clause 11 of the Bill was read.

The question of concurrence being put on clause 11 of the Bill, it was—
Resolved in the affirmative.

Clause 12 of the Bill was read.

The question of concurrence being put on clause 12 of the Bill, it was—
Resolved in the affirmative.

Clause 13 of the Bill was read.

The question of concurrence being put on clause 13 of the Bill, it was—
Resolved in the affirmative.

Clause 14 of the Bill was read.

The question of concurrence being put on clause 14 of the Bill, it was—
Resolved in the affirmative.

Clause 15 of the Bill was read.

The question of concurrence being put on clause 15 of the Bill, it was—
Resolved in the affirmative.

Clause 16 of the Bill was read.

The question of concurrence being put on clause 16 of the Bill, it was—
Resolved in the affirmative.

Clause 1 of the Bill was again read.

After debate, and—

The question of concurrence being put on clause 1 of the Bill, it was—

Resolved in the affirmative.

The Title of the Bill was again read.

The question of concurrence being put on the Title of the Bill, it was—

Resolved in the affirmative.

After some time, the sitting was resumed, and—

The Honourable Senator Bourget, P.C., from the Committee, reported that they had taken the Bill into consideration and had directed him to report the same to the Senate, without amendment.

With leave of the Senate,

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Cook, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five thirty o'clock p.m., it was—

Resolved in the affirmative. 12.45 p.m.

The sitting of the Senate was resumed. 5.30 p.m.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

MARCH 26, 1975

Madam,

I have the honour to inform you that the Honourable Wishart F. Spence, O.B.E., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor

General, will proceed to the Senate Chamber to-day, the 26th day of March, at 5.45 p.m. for the purpose of giving Royal Assent to a certain bill.

I have the honour to be,

Madam,

Your obedient servant,

ANDRÉ GARNEAU,

Brigadier General,

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable Senator Langlois laid on the Table the following:—

Copies of a statement entitled "James Bay Hydro-Electric Project" relating to environmental concerns and recommendations for protection and enhancement measures, dated March 24, 1975.

The Honourable the Speaker laid on the Table the Report of the Commissioner of Official Languages, covering the period from April 1, 1973, to December 31, 1974, pursuant to section 34(2) of the *Official Languages Act*, Chapter O-2, R.S.C., 1970.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, MARCH 25, 1975

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Orlikow has been substituted for that of Mr. Brewin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,

The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Denis, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday, 8th April, 1975, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by
the Honourable Senator Benidickson, P.C.:

That the Standing Senate Committee on Legal and
Constitutional Affairs have power to sit during adjourn-
ments of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question
whether the Senate do now adjourn during pleasure to
await the arrival of the Honourable the Deputy of His
Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Wishart F. Spence, Puisne
Judge of the Supreme Court of Canada, in his capacity
as Deputy of His Excellency the Governor General, hav-
ing come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentle-
man Usher of the Black Rod to proceed to the House of
Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His
Excellency the Governor General that they attend him
immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the title of the Bill to be
assented to as follows:

An Act to amend the National Housing Act.

To this Bill the Royal Assent was pronounced by the
Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy
of His Excellency the Governor General doth assent to
this Bill."

The Commons withdrew.

After which the Honourable the Deputy of His Excel-
lency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Langlois moved, seconded by
the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 70

Tuesday, 8th April, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Barrow,
Basha,
Beaubien,
Bélisle,
Bonnell,
Bourget,
Buckwold,
Carter,
Choquette,
Connolly
(Ottawa West).
Cook,

Côté,
Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Fergusson,
Flynn,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Goldenberg,
Gouin,
Graham,
Hayden,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,

Lapointe,
Lefrançois,
McDonald,
McElman,
McGrand,
McNamara,
Michaud,
Molgat,
Neiman,
O'Leary,
Paterson,
Perrault,

Petten,
Phillips,
Prowse,
Quart,
Riel,
Robichaud,
Smith,
Sparrow,
Stanbury,
Thompson,
van Roggen,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, April 7, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Brewin has been substituted for that of Mr. Orlikow on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Canadian Livestock Feed Board for the crop year ended July 31, 1974, including its accounts and financial statement certified by the Auditor General for the fiscal year ended March 31, 1974, pursuant to section 22 of the *Livestock Feed Assistance Act*, Chapter L-9, R.S.C., 1970.

Copies of Report entitled: "Price Effects—Removal of Federal Sales Tax on Clothing and Footwear", issued by the Department of Consumer and Corporate Affairs.

Capital Budget of Atomic Energy of Canada Limited for the fiscal year ending March 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with a copy of Order in Council P.C. 1975-527, dated March 6, 1975, approving same.

Report of the Anti-dumping Tribunal for the year ended December 31, 1974, pursuant to section 32 of the *Anti-dumping Act*, Chapter A-15, R.S.C., 1970.

Report on operations under the *Bretton Woods Agreements Act* and the *International Development Association Act* for the year ended December 31, 1974, pursuant to section 7 of the first-mentioned Act, Chapter B-9, and section 5 of the latter Act, Chapter I-21, R.S.C., 1970.

Report of the Canada Deposit Insurance Corporation, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to section 46 of the *Canada Deposit Insurance Corporation Act*, Chapter C-3, R.S.C., 1970.

Capital Budget of the Royal Canadian Mint for the year ending December 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-574, dated March 13, 1975, approving same.

Report of Statistics Canada entitled "Private and Public Investment in Canada, Outlook 1975", dated April 1975, published by authority of the Minister of Industry, Trade and Commerce.

Copies of Report of the Minister of Justice, pursuant to section 3 of the *Canadian Bill of Rights*, with reference to Bill S-10, intituled: "An Act to amend the Feeds Act".

Report of the Tax Review Board for the year ended December 31, 1974, pursuant to section 17 of the *Tax Review Board Act*, Chapter 11, Statutes of Canada, 1970-71-72.

Report of The Canadian Wheat Board for the crop year ended July 31, 1974, including its financial statements certified by the Auditors, pursuant to section 7(2) of the *Canadian Wheat Board Act*, Chapter C-12, R.S.C., 1970.

Copies of Tables relating to the breakdown of the cost of fertilizer production, issued by the Department of Agriculture.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Goldenberg, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold:

That the name of the Honourable Senator McDonald be substituted for that of the Honourable Senator Benidickson on the list of Senators serving on the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Paterson, that the Bill C-48, intituled: "An Act to amend the Railway Act", be read the second time.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Cook moved, seconded by the Honourable Senator Paterson, that the Bill be referred to the Standing Senate Committee on Transport and Communications.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator Connolly, P.C., that the Bill C-33 intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states", be read the second time.

After debate,

The Honourable Senator O'Leary moved, seconded by the Honourable Senator Bélisle, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Molgat, that the Bill C-26, intituled: "An Act to amend the Civil Service Insurance Act", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator O'Leary, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until Tuesday next, 15th April, 1975.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 71

Wednesday, 9th April, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Fournier	Lefrançois,	Petten,
Barrow,	Cottreau,	(<i>Restigouche-</i>	McDonald,	Prowse,
Basha,	Croll,	<i>Gloucester</i>),	McElman,	Quart,
Beaubien,	Denis,	Goldenberg,	McGrand,	Riel,
Bélisle,	Deschatelets,	Graham,	McIlraith,	Riley,
Bonnell,	Desruisseaux,	Hastings,	McNamara,	Robichaud,
Bourget,	Duggan,	Hayden,	Michaud,	Smith,
Buckwold,	Eudes,	Hicks,	Molgat,	Sparrow,
Carter,	Everett,	Inman,	Neiman,	Stanbury,
Choquette,	Fergusson,	Lafond,	Norrie,	Thompson,
Connolly	Flynn,	Laird,	O'Leary,	van Roggen,
(<i>Ottawa West</i>),	Fournier	Lamontagne,	Paterson,	Williams,
Cook,	(<i>de Lanaudière</i>),	Lapointe,	Perrault,	Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:

Report of Uranium Canada, Limited, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1973, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of exemptions authorized by the Minister of Transport under section 134 of the *Canada Shipping Act* in cases where no master or officer was available with required certificate and experience, for the year ended December 31, 1974, pursuant to section 134(2) of the said Act, Chapter S-9, R.S.C. 1970.

Green Paper entitled "Members of Parliament and Conflict of Interest", dated July 17, 1973.

Pursuant to the Order of the Day, the Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Croll, that the Bill C-43, intituled: "An Act to amend the Law Reform Commission Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Connolly, P.C., for the second reading of the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states".

After debate,

The Honourable Senator Everett moved, seconded by the Honourable Senator Cook, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Denis, P.C., seconded by the Honourable Senator Molgat, for the second reading of the Bill C-26, intituled: "An Act to amend the Civil Service Insurance Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Bourget, P.C. that the Bill

be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments".

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Inman, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Croll,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 72

Thursday, 10th April, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fergusson,	McDonald,	Prowse,
Barrow,	Côté,	Fournier	McElman,	Quart,
Basha,	Cottreau,	(<i>Restigouche-</i>	McGrand,	Riley,
Beaubien,	Croll,	<i>Gloucester</i>),	McIlraith,	Robichaud,
Bélisle,	Davey,	Inman,	McNamara,	Smith,
Bonnell,	Denis,	Lafond,	Michaud,	Sparrow,
Buckwold,	Deschatelets,	Laird,	Molgat,	Stanbury,
Carter,	Desruisseaux,	Lamontagne,	Neiman,	Thompson,
Choquette.	Duggan,	Lapointe,	Norrie,	van Roggen,
Connolly	Eudes,	Lefrançois,	Perrault,	Williams,
(<i>Ottawa West</i>),	Everett,	Macnaughton,	Petten,	Yuzyk.

PRAYERS.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold:

That the name of the Honourable Senator Barrow be added to the list of Senators serving on the Standing Senate Committee on Foreign Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold:

That the Standing Senate Committee on National Finance have power to sit while the Senate is sitting on Wednesday next, 16th April, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 15th April, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Petten:

That the Green Paper entitled "Members of Parliament and Conflict of Interest", tabled in the Senate on Wednesday, 9th April, 1975, be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Molgat, that the Bill C-26, intituled: "An Act to amend the Civil Service Insurance Act" be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Connolly, P.C., for the second reading of the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until Wednesday next, 16th April, 1975.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Fergusson, P.C., called the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975.

After debate,

The Honourable Senator Choquette for the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Quart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Denis, P.C.,

That the Senate do now adjourn.

The question being put on the motion it was—
Resolved in the affirmative.



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Journals of the Senate

No. 73

Tuesday, 15th April, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, *Speaker*.

The Members convened were:

The Honourable Senators

Asselin,
Basha,
Beaubien,
Benidickson,
Bourget,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,
Cottreau,

Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Everett,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Giguère,
Goldenberg,
Grosart,
Haig,
Hayden,
Hays,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,

Paterson,
Perrault,
Petten,
Prowse,
Riel,
Riley,
Robichaud,
Smith,
Stanbury,
Sullivan,
Thompson,
Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, April 10, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. MacLean has been substituted for that of Mr. Baker (Grenville-Carleton) on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, April 10, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. McCleave has been substituted for that of Mr. MacLean on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, April 10, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Caccia has been substituted for that of Miss Nicholson on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill S-9, intituled: "An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-34, intituled: "An Act to amend the Farm Credit Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Petten moved, seconded by the Honourable Senator Fergusson, P.C., that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 17th April, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of statements on the Economic Situation and on The Consultations on Inflation, made by the Minister of Finance to the Conference of First Ministers, held in Ottawa April 9th and 10th, 1975.

Copies of Report by the Minister responsible for the Canadian International Development Agency on Canada's Food Aid Programme: Allocations for 1975-76, dated April 11, 1975.

Report of the Independent Review Committee on the Office of the Auditor General of Canada, dated March 1975.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Connolly, P.C., for the second reading of the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Desruisseaux called the attention of the Senate to Canadian textile problems.

After debate,

The Honourable Senator Deschatelets, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion it was—
Resolved in the affirmative.



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Journals of the Senate

No. 74

Wednesday, 16th April, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lang,	O'Leary,
Asselin,	Côté,	(<i>Restigouche-</i>	Langlois,	Perrault,
Barrow,	Cottreau,	<i>Gloucester</i>),	Lapointe,	Petten,
Basha,	Croll,	Giguère,	Lefrançois,	Phillips,
Beaubien,	Davey,	Goldenberg,	Macdonald,	Prowse,
Benidickson,	Denis,	Greene,	McDonald,	Quart,
Bourget,	Deschatelets,	Grosart,	McElman,	Riley,
Buckwold,	Duggan,	Haig,	McGrand,	Robichaud,
Burchill,	Everett,	Hayden,	McIlraith,	Smith,
Cameron,	Fergusson,	Hicks,	McNamara,	Stanbury,
Carter,	Flynn,	Inman,	Michaud,	Sullivan,
Choquette,	Forsey,	Lafond,	Molson,	Thompson,
Connolly	Fournier	Laird,	Neiman,	Walker.
(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Lamontagne,	Norrie,	

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, April 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Orlikow has been substituted for that of Mr. Brewin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, April 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Miss Nicholson has been substituted for that of Mr. Caccia on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, April 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Gray has been substituted for that of Mr. Guay (*St. Boniface*) on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, April 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Caccia has

been substituted for that of Mr. Prud'homme on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, April 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Fairweather has been substituted for that of Mr. Jelinek on the list of Members appointed to serve on the Standing Joint Committee on the Library of Parliament.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Export Development Corporation, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Fergusson, P.C., that the Bill C-34, intituled: "An Act to amend the Farm Credit Act", be read the second time.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until Wednesday, 30th April, 1975.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Connolly, P.C., for the second reading of the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Hicks, that further debate on

the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 75

Thursday, 17th April, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Basha,
Beaubien,
Benidickson,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Duggan,
Everett,
Fergusson,
Flynn,
Forsey,

Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Giguère,
Grosart,
Haig,
Hicks,
Inman,
Lafond,
Laird,

Lamontagne,
Langlois,
Lapointe,
Macdonald,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,

Norrie,
O'Leary,
Perrault,
Petten,
Prowse,
Quart,
Riel,
Riley,
Robichaud,
Smith,
Thompson,
Walker,
Williams.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, April 16, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Guay (St. Boniface) has been substituted for that of Mr. Gray on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-13, intituled: "An Act to amend the Northern Canada Power Commission Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 22nd April, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of financial statement on the operation and maintenance of the Great Slave Lake Railway for the year ended December 31, 1974, together with a statement showing the net capital investment as at December 31, 1974, pursuant to section 9, Chapter 56, Statutes of Canada, 1960-61.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, April 17, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Standing Senate Committee on National Finance for the proposed expenditures of the said Committee on National Finance with regard to its examination and consideration of such legislation and other matters as may be referred to it, authorized by the Sen-

ate on the 5th December 1974. The said supplementary budget is as follows:

Professional and Special Services	\$1,875.00
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Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, April 17, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Legal and Constitutional Affairs authorizing the said Committee to incur special expenses for the payment of fees and travelling expenses of expert witnesses in connection with its examination of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code", as authorized by the Senate on the 13th February, 1975. The said budget is as follows:

Professional and Special Services	\$1,000
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Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, April 17, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Joint Chairman of the Standing Joint Committee of the Senate and House of Commons on Regulations and Other Statutory Instruments for the proposed expenditures of the said Standing Joint Committee with respect to its review and scrutiny of statutory instruments pursuant to the report adopted by the Senate on 29th October, 1974. The said supplementary budget is as follows:

Professional and Special Services	\$20,000
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Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, April 17, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved

the supplementary budget presented to it by the Chairman of the Special Senate Committee on Science Policy for the proposed expenditures of the said Committee on Science Policy respecting the holding of a Special Meeting to determine the feasibility of establishing a Commission on the Future as authorized by the Senate on the 21st November 1974. The said supplementary budget is as follows:

Professional and Special Services	\$12,450
All Other Expenditures	1,000
	<hr/>
	\$13,450

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Haig from the Standing Senate Committee on Transport and Communications to which was referred the Bill C-48, intituled: "An Act to amend the Railway Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Cook moved, seconded by the Honourable Senator Everett, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance have power to sit while the Senate is sitting on Wednesday next, 23rd April, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 22nd April, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Fer-

gusson, P.C., for the second reading of the Bill C-34, intituled: "An Act to amend the Farm Credit Act".

After debate,

The Honourable Senator Michaud moved, seconded by the Honourable Senator McElman, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Connolly, P.C., for the second reading of the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states".

After debate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Argue moved, seconded by the Honourable Senator O'Leary, that the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)", be read the second time.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate

on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was,

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart

calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C.,

That the Senate do now adjourn.

The question being put on the motion it was—
Resolved in the affirmative.



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Journals of the Senate

No. 76

Tuesday, 22nd April, 1975

8.00 o'clock p.m.

The Honourable MURIEL McQUEEN FERGUSON, P.C.,
Speaker *pro tem.*

The Members convened were:

The Honourable Senators

Argue,	Connolly	Fergusson,	Hayden,	McIlraith,
Asselin,	(Ottawa West),	Flynn,	Heath,	McNamara,
Basha,	Cook,	Forsey,	Hicks,	Michaud,
Beaubien,	Côté,	Fournier,	Lafond,	Molson,
Benidickson,	Cottreau,	(de Lanaudière),	Lawson,	Norrie,
Bourget,	Croll,	Giguère,	Lefrançois,	Petten,
Buckwold,	Denis,	Godfrey,	Macdonald,	Quart,
Burchill,	Deschatelets,	Goldenberg,	Manning,	Robichaud,
Cameron,	Desruisseaux,	Grosart,	McDonald,	Smith,
Carter,	Eudes,	Haig,	McElman,	Stanbury,
Choquette,	Everett,	Hastings,	McGrand,	Sullivan,
				van Roggen.

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Petten moved, seconded by the Honourable Senator Flynn, P.C.:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Fergusson, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative

Whereupon the Honourable Senator Fergusson, P.C., took the Chair.

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-5, intituled: "An Act to establish the Canadian Radio-television and Telecommunications Commission, to amend the Broadcasting Act and other Acts in consequence thereof and to enact other consequential provisions", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Petten moved, seconded by the Honourable Senator Croll, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 24th April, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Petten laid on the Table the following:—

Report of the Minister of Transport on the administration of the *Motor Vehicle Safety Act* for the fiscal year ended March 31, 1974, pursuant to section 20 of the said Act, Chapter 26 (1st Supplement), R.S.C., 1970.

Report on operations under the *Regional Development Incentives Act* for the month of January 1975, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Everett, that the Bill C-48, intituled: "An Act to amend the Railway Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Fergusson, P.C., for the second reading of the Bill C-34, intituled: "An Act to amend the Farm Credit Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Buckwold, that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Connolly, P.C., for the second reading of the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Petten, that the Bill C-13, intituled: "An Act to amend the Northern Canada Power Commission Act" be read the second time.

After debate,

The Honourable Senator Flynn, P.C., for the Honourable Senator Choquette moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was,

Ordered, that it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Petten moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 77

Wednesday, 23rd April, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Basha,
Beaubien,
Bourget,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,

Côté,
Cottreau,
Croll,
Denis,
Deschatelets,
Eudes,
Everett,
Fergusson,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Giguère,
Godfrey,
Goldenberg,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Heath,
Hicks,
Lafond,

Lamontagne,
Lapointe,
Lawson,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McElman,
McGrand,
McIlraith,
McNamara,

Michaud,
Molson,
Norrie,
O'Leary,
Paterson,
Perrault,
Petten,
Quart,
Riel,
Robichaud,
Smith,
van Roggen.

PRAYERS.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Bourget, P.C., seconded by the Honourable Senator Petten, for the second reading of the Bill C-13, intituled: "An Act to amend the Northern Canada Power Commission Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Grosart resumed the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Connolly, P.C., for the second reading of the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator Connolly, P.C., that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to Order, the Senate resumed the debate on the motion of the Honourable Senator Bourget, P.C., seconded by the Honourable Senator Petten, for the second reading of the Bill C-13, intituled: "An Act to amend the Northern Canada Power Commission Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Petten, that the Bill

be referred to the Standing Senate Committee on Banking, Trade and Commerce.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Flynn, P.C., resumed the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Quart, for the second reading of the Bill S-22, intituled: "An Act to provide for the internal economy and administration of the Senate between sessions of Parliament and between Parliaments".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator O'Leary, that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal govern-

ment with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 78

Thursday, 24th April, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Fournier	Lawson,	Molgat,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Lefrançois,	Neiman,
Basha,	Davey,	<i>Gloucester</i>),	Macdonald,	Norrie,
Bourget,	Denis,	Giguère,	Macnaughton,	O'Leary,
Buckwold,	Deschatelets,	Godfrey,	Manning,	Perrault,
Burchill,	Eudes,	Greene,	McDonald,	Petten,
Cameron,	Everett,	Grosart,	McElman,	Riley,
Carter,	Fergusson,	Haig,	McGrand,	Robichaud,
Choquette,	Flynn,	Hastings,	McIlraith,	Smith,
Connolly	Forsey,	Heath,	McNamara,	Stanbury,
(<i>Ottawa West</i>),	Fournier	Lafond,	Michaud,	van Roggen.
Cook,	(<i>de Lanaudière</i>),	Lapointe,		

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, April 22, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Ritchie has been substituted for that of Mr. Friesen on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, April 22, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Friesen has been substituted for that of Mr. Ritchie on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-59, intituled: "An Act to provide for the resumption and continuation of longshoring, checking, cargo repairing and related operations at certain ports in the Province of Quebec", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Petten, that the Bill be read the second time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Petten, that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Reports on the dispute affecting the Maritime Employers' Association and the International Longshoremen's Association (Chief Judge A. B. Gold, Conciliation Commissioner).

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

APRIL 24, 1975

Madam,

I have the honour to inform you that the Honourable Wishart F. Spence, O.B.E., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 24th day of April, at 5.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant.

ANDRÉ GARNEAU,
Brigadier General,
Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That the name of the Honourable Senator Godfrey be substituted for that of the Honourable Senator Benidickson on the list of Senators serving on the Special Joint Committee on Immigration Policy; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 29th April, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Forsey moved, seconded by the Honourable Senator Heath, that the Bill C-5, intituled: "An Act to establish the Canadian Radio-television and Telecommunications Commission, to amend the Broadcasting Act and other Acts in consequence thereof and to enact other consequential provisions", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson,

P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative.

4.30 p.m.

The sitting of the Senate was resumed.

5.45 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Commons withdrew.

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to provide for the resumption and continuation of longshoring, checking, cargo repairing and related operations at certain ports in the Province of Quebec

An Act to amend the Law Reform Commission Act

An Act to amend the Railway Act

An Act to amend the Civil Service Insurance Act

An Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

“In Her Majesty’s name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills.”

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Petten moved, seconded by the Honourable Senator Cook,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 79

Tuesday, 29th April, 1975

8.00 o'clock p.m.

The Honourable GEORGE J. McILRAITH, P.C., Speaker *pro tem.*

The Members convened were:

The Honourable Senators

Asselin,	Côté,	Giguère,	Manning,	Paterson.
Barrow,	Cottreau,	Godfrey,	McDonald,	Perrault,
Basha,	Croll,	Goldenberg,	McElman,	Quart,
Beaubien,	Denis,	Graham,	McGrand,	Riley,
Bélisle,	Desruisseau,	Grosart,	McIlraith,	Rowe,
Bonnell,	Duggan,	Haig,	McNamara,	Smith,
Buckwold,	Eudes,	Hicks,	Michaud,	Sparrow,
Cameron,	Flynn,	Inman,	Molgat,	Stanbury,
Carter,	Fournier	Lafond,	Molson,	van Roggen,
Choquette,	(<i>de Lanaudière</i>),	Laird,	Neiman,	Walker,
Connolly	Fournier	Lefrançois,	Norrie,	Yuzyk.
(<i>Ottawa West</i>),	(<i>Restigouche-</i>	Macdonald,	O'Leary,	
Cook,	<i>Gloucester</i>),			

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Flynn, P.C.:—

That, during the absence of the Honourable the Speaker, the Honourable Senator McIlraith, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator McIlraith, P.C., took the Chair.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, April 24, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Prud'homme has been substituted for that of Mr. Caccia on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the National Energy Board for the year ended December 31, 1974, pursuant to section 91 of the *National Energy Board Act*, Chapter N-6, R.S.C., 1970.

Copies of a contract between the Government of Canada and the Town of Devon, Alberta, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

Report relating to the administration of the *Farmers' Creditors Arrangement Act* for the fiscal year ended March 31, 1975, pursuant to section 41(2) of the said Act, Chapter F-5, R.S.C., 1970.

Document entitled "Communications: Some Federal Proposals", issued by the Minister of Communications and dated April 1975.

Copies of Order in Council P.C. 1975-879, dated April 22, 1975, appointing Robert Broughton Bryce, Esquire, a Commissioner under Part I of the *Inquiries Act* to inquire into, report upon and make recommendations concerning the concentration of corporate power in Canada.

Copies of Order in Council P.C. 1975-963, dated April 25, 1975, appointing Mr. Justice Willard Zebedee Estey

a Commissioner under Part I of the *Inquiries Act* to inquire into and report upon the system of financial controls, accounting procedures and other matters related to the fiscal management and control of Air Canada.

Copies of a document entitled "Economic Review, April 1975", issued by the Minister of Finance.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Heath, for the second reading of the Bill C-5, intituled: "An Act to establish the Canadian Radio-television and Telecommunications Commission, to amend the Broadcasting Act and other Acts in consequence thereof and to enact other consequential provisions",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

After debate,

The Honourable Senator O'Leary moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a

delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Norrie resumed the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

After debate,

The Honourable Senator Carter for the Honourable Senator Fergusson, P.C., moved, seconded by the Honourable Senator Molgat, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Carter,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 80

Wednesday, 30th April, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(Ottawa West),
Cook,
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Giguère,
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hicks,
Inman,
Lafond,
Laird,

Lamontagne,
Lapointe,
Lefrançois,
Macdonald,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,

Norrie,
O'Leary,
Paterson,
Perrault,
Quart,
Riley,
Robichaud,
Rowe,
Smith,
Sparrow,
Stanbury,
van Roggen,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Capital Budget of Air Canada for the year ended December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-736, dated March 27, 1975, approving same.

Capital Budget of Canadian Arsenals Limited for the fiscal year ending March 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-871, dated April 17, 1975, approving same.

The Honourable Senator Connolly, P.C., for the Honourable Senator Macnaughton, P.C., Acting Chairman, from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-13, intituled: "An Act to amend the Northern Canada Power Commission Act", reported that it had examined the said Bill and had directed him to report the same to the Senate with one amendment.

The amendment was then read by the Clerk Assistant as follows:—

Page 1: Strike out lines 22 to 27, inclusive, and substitute therefor the following:

"(7) A meeting of the members of the Commission may not be held unless

- (a) notice of the meeting is given to each member of the Commission at his ordinary place of residence one clear day before the meeting; or
- (b) all the members of the Commission are present and waive notice of the meeting."

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

After debate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Perrault, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Heath, for the second reading of the Bill C-5, intituled: "An Act to establish the Canadian Radio-television and Telecommunications Commission, to amend the Broadcasting Act and other Acts in consequence thereof and to enact other consequential provisions".

After debate,

The Honourable Senator Bélisle moved, seconded by the Honourable Senator O'Leary, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put in the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems.

After debate,

The Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Carter, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th of January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal govern-

ment with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Carter,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 81

Thursday, 1st May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Bélisle,
Benidickson,
Blois,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(*Ottawa West*),
Cook,
Cottreau,
Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Eudes,
Fergusson,
Flynn,
Fournier
(*de Lanaudière*),

Fournier
(*Restigouche-
Gloucester*),
Giguère,
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hicks,
Inman,
Lafond,

Laird,
Lapointe,
Lefrançois,
Macdonald,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,

Neiman,
Norrie,
O'Leary,
Perrault,
Quart,
Riley,
Robichaud,
Sparrow,
Stanbury,
van Roggen,
Walker,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, April 30, 1975

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Rodriguez has been substituted for that of Mr. Orlikow on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-44, intituled: "An Act to amend the Senate and House of Commons Act, the Salaries Act and the Parliamentary Secretaries Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 6th May, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 6th May, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of Agriculture for the fiscal year ended March 31, 1974, pursuant to section 6 of the *Department of Agriculture Act*, Chapter A-10, R.S.C. 1970.

The Honourable Senator Argue from the Standing Committee on Agriculture to which was referred the Bill C-34, intituled: "An Act to amend the Farm Credit Act", presented the following Report:—

THURSDAY, April 24, 1975

The Standing Senate Committee on Agriculture to which was referred the Bill C-34, intituled: "An Act to amend the Farm Credit Act" has, in obedience to the order of reference of Tuesday, April 22, 1975 examined the said bill and now reports the same with the following amendment:

Strike out the word "thirty-five" and substitute the word "forty" in lines 43 and 49 on page 2, in lines 7 and 16 on page 3, and in lines 7 and 34 on page 8.

In addition your committee desires to make two recommendations arising out of its discussions.

First, your committee would like to see the Farm Credit Corporation take on an expanded and more vigorous role in the provision of credit to farmers for the development of agricultural production in Canada.

Your committee therefore recommends that the Government consider the advisability of increasing the capital of the Farm Credit Corporation from one hundred million to one hundred and twenty-five million dollars.

Second, your committee is concerned that the current upward trend in the price of land and other farm capital will continue and that the loan ceilings under the Act may soon become inadequate for the needs of both new and established farmers.

Your committee therefore recommends that the Government consider the advisability of increasing the ceilings on loans made under Parts III and IV to new and young farmers from one hundred and fifty thousand to two hundred thousand dollars and of increasing the ceiling on loans made under Part II to older and established farmers from one hundred thousand to one hundred and fifty thousand dollars.

Your committee believes that the changes to the *Farm Credit Act* embodied in this bill are important and necessary. However, it believes that perhaps a little more flexibility in corporation capital and loan ceilings would be most helpful in increasing Canada's agricultural production and bettering the conditions under which farmers operate.

Respectfully submitted.

Hazen Argue
Chairman

The Honourable Senator Argue moved, seconded by the Honourable Senator O'Leary, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states", reported that it had examined the said Bill and had directed him to report the same to the Senate with eight amendments.

The amendments were then read by the Clerk Assistant, as follows:—

1. *Page 6:* Strike out line 18 and substitute therefor the following:

"Review Board and the Minister."

2. *Page 6:* Strike out line 47 and substitute therefor the following:

"copy of that advice to the Review Board and the Minister."

3. *Page 7:* Strike out line 41 and substitute therefor the following:

"tion of the Review Board, in which case he shall forthwith send a written notice to that effect to the applicant."

4. *Page 8:* Strike out lines 32 to 40 and substitute therefor the following:

"(2) The members of the Review Board, other than the Chairman and two other members who shall be chosen generally from among residents of Canada, shall be chosen in equal numbers

(a) from among residents of Canada who are or have been officers, members or employees of art galleries, museums, archives, libraries or other similar institutions in Canada; and

(b) from among residents of Canada who are or have been dealers in or collectors of art,"

5. *Page 11:* Strike out line 19 and substitute therefor the following:

"notice of refusal under section 10 or a notice under section 12 may,"

6. *Page 11:* Strike out line 21 and substitute therefor the following:

"the notice was sent, by notice in"

7. *Page 11:* Strike out lines 25 to 28 and substitute therefor the following:

"(2) The Review Board shall review an application for an export permit and, unless the circumstances of a particular case require otherwise, render its decision within"

8. *Page 14:* Strike out lines 22 to 25 and substitute therefor the following:

"(4) The Review Board shall consider a request made under subsection (1) and, unless the circumstances of a particular case require otherwise, make a determination"

The Honourable Senator Carter moved, seconded by the Honourable Senator Bourget, P.C., that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Carter:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 6th May, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Heath, for the second reading of the Bill C-5, intituled: "An Act to establish the Canadian Radio-television and Telecommunications Commission, to amend the Broadcasting Act and other Acts in consequence thereof and to enact other consequential provisions".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Carter moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be referred to the Standing Senate Committee on Transport and Communications.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill C-13, intituled: "An Act to amend the Northern Canada Power Commission Act".

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Cook, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Cameron, that the Bill, as amended, be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Molgat moved, seconded by the Honourable Senator Denis, P.C., that the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act", be read the second time.

After debate,

The Honourable Senator Haig moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975.

After debate,

The Honourable Senator Cameron moved, seconded by the Honourable Senator Barrow, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Carter,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 82

Tuesday, 6th May, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Burchill,
Carter,
Choquette,

Connolly
(Ottawa West),
Cook,
Côté,
Cottreau,
Croll,
Denis,
Duggan,
Eudes,
Everett,
Fergusson,
Flynn,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hayden,
Hays,
Heath,
Hicks,
Inman,

Lafond,
Laird,
Lang,
Langlois,
Lapointe,
Lawson,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,

Michaud,
Molgat,
Molson,
Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Prowse,
Riley,
Robichaud,
Stanbury,
Walker,
Welch,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by the Clerk in the following words:—

THURSDAY, May 1, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Peters has been substituted for that of Mr. Leggatt on the list of Members appointed to serve on the Standing Joint Committee on the Restaurant of Parliament.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, May 5, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Brewin has been substituted for that of Mr. Rodriguez on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Northern Transportation Company Limited, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Capital Budget of the Northern Transportation Company Limited for the year ending December 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-961, dated April 25, 1975, approving same.

Revised Capital Budget of Eldorado Nuclear Limited for the year ended December 31, 1974, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copies of Order in Council P.C. 1975-733, dated March 27, 1975, approving same.

Capital Budgets of Eldorado Nuclear Limited and Eldorado Aviation Limited for the year ending December 31, 1975, pursuant to section 70(2) of the *Financial*

Administration Act, Chapter F-10, R.S.C., 1970, together with copies of Order in Council P.C. 1975-734, dated March 27, 1975, approving same.

Report of the Canadian Egg Marketing Agency for the year ended December 31, 1974, including its financial statements and the auditors' report thereon, pursuant to section 31 of the *Farm Products Marketing Agencies Act*, Chapter 65, Statutes of Canada, 1970-71-72.

Report on the operation of Agreements with the Provinces under the *Hospital Insurance and Diagnostic Services Act* for the fiscal year ended March 31, 1974, pursuant to section 9 of the said Act, Chapter H-8, R.S.C., 1970.

Report on operations under Part II of the *Export Credits Insurance Act* for the fiscal year ended March 31, 1975, pursuant to section 27 of the said Act, Chapter 105, R.S.C., 1952.

Interim report of the Textile and Clothing Board, dated March 26, 1975, pursuant to section 17(2) of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting men's suits imported from the Republic of Korea.

Copies of a letter, dated April 1, 1975, addressed by the Minister of Energy, Mines and Resources to Home Oil Company Limited, Calgary, Alberta, respecting the Home Oil project in the oil sands area.

Copies of Communiqué issued following the meeting of Federal and Provincial Ministers of Welfare, held at Ottawa, April 30 and May 1, 1975.

Pursuant to the Order of the Day, the Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Hayden, that the Bill C-13, intituled: "An Act to amend the Northern Canada Power Commission Act", be read the third time, as amended.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill, as amended, was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill with one amendment to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Molgat, seconded by the Honourable Senator Denis, P.C., for the second reading of the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Molgat, seconded by the Honourable Senator Hayden, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill C-44, intituled: "An Act to amend the Senate and House of Commons Act, the Salaries Act and the Parliamentary Secretaries Act", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Hays, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in inter-provincial and export trade", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Agriculture on the Bill C-34, intituled: "An Act to amend the Farm Credit Act".

The Honourable Senator Argue moved, seconded by the Honourable Senator Bélisle, that the Report be adopted now.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate

on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th of January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal govern-

ment with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 83

Wednesday, 7th May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Giguère,	Lang,	Molson,
Asselin,	Cottreau,	Godfrey,	Langlois,	Neiman,
Barrow,	Croll,	Goldenberg,	Lapointe,	Norrie,
Basha,	Davey,	Graham,	Lawson,	O'Leary,
Beaubien,	Denis,	Greene,	Lefrançois,	Perrault,
Bélisle,	Duggan,	Grosart,	Macdonald,	Petten,
Blois,	Eudes,	Haig,	Manning,	Prowse,
Bonnell,	Everett,	Hayden,	McDonald,	Riel,
Boucher,	Fergusson,	Hays,	McElman,	Riley,
Buckwold,	Flynn,	Heath,	McGrand,	Stanbury,
Burchill,	Fournier	Hicks,	McIlraith,	Walker,
Carter,	(de Lanaudière),	Inman,	McNamara,	Welch,
Choquette,	Fournier	Lafond,	Michaud,	Williams,
Connolly	(Restigouche-	Laird,	Molgat,	Yuzyk.
(Ottawa West),	Gloucester),	Lamontagne,		

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, May 6, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Caccia has been substituted for that of Mr. Daudlin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

Pursuant to the Order of the Day, the Honourable Senator Molgat moved, seconded by the Honourable Senator Denis, P.C., that the Bill C-367, intituled: "An Act to amend the Fort-Falls Bridge Authority Act", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-44, intituled: "An Act to amend the Senate and House of Commons Act, the Salaries Act and the Parliamentary Secretaries Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the second reading of the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and

certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator Bélisle, for the adoption of the Report of the Standing Senate Committee on Agriculture on the Bill C-34, intituled: "An Act to amend the Farm Credit Act".

After debate,

In amendment, the Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Connolly, P.C., that the Report be not now adopted but that it be amended by striking out the first three paragraphs thereof and substituting therefor the following:

"The Standing Senate Committee on Agriculture to which was referred the Bill C-34, intituled: "An Act to amend the Farm Credit Act", has, in obedience to the order of reference of Tuesday, April 22, 1975, examined the said Bill and now reports the same, without amendment, but with the following recommendations:"

A point of order having been raised by the Honourable Senator Grosart,

After debate,

The Honourable the Speaker reserved her decision on the acceptability of the motion in amendment.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th of January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 84

Thursday, 8th May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Barrow,
Basha,
Beaubien,
Bélisle,
Blois,
Boucher,
Bourget,
Buckwold,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Duggan,
Eudes,
Everett,
Fergusson,
Flynn,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Giguère,
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hays,
Heath,
Lafond,

Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Manning,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,

Molgat,
Molson,
Neiman,
Norrie,
O'Leary,
Perrault,
Petten,
Prowse,
Riel,
Riley,
Stanbury,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

List of Commissions issued under authority of section 3 of the *Public Officers Act* during the year ended December 31, 1974, pursuant to section 4 of the said Act, Chapter P-30, R.S.C., 1970.

Copies of the National Energy Board Report to the Governor in Council, dated March 1975, in the matter of the pricing of Natural Gas being exported under existing licences, together with a statement thereon by the Minister of Energy, Mines and Resources.

Pursuant to the Order of the Day, the Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill C-44, intituled: "An Act to amend the Senate and House of Commons Act, the Salaries Act and the Parliamentary Secretaries Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being read for consideration of the motion in amendment of the Honourable Senator McIlraith, P.C., seconded by the Honourable Senator Connolly, P.C., to the motion of the Honourable Senator Argue, seconded by the Honourable Senator Bélisle for the adoption of the Report of the Standing Senate Committee on Agriculture on the Bill C-34, intituled: "An Act to amend the Farm Credit Act".

RULING BY THE HONOURABLE THE SPEAKER

Honourable Senators:

Yesterday in the course of the debate on the motion for the adoption of the report of the Standing Senate Committee on Agriculture on Bill C-34, intituled "An Act to amend the Farm Credit Act", the Honourable Senator McIlraith, P.C., moved an amendment to the report, whereupon the Honourable Senator Grosart raised a point of order in which he questioned whether or not the motion in amendment is in order.

He based his argument on a quotation that appears at page 126 of the Forms and Proceedings, which are printed as an Appendix to the Rules of the Senate, to the effect that the Senate "may not amend a report from a select committee but may refer the report back to the said committee or to the committee of the whole."

I have had the opportunity to peruse the Journals of the Senate, which are the official record of this House,

and although they reveal that in many cases the practice has been to refer a committee report back to the committee with the view to amending it, I have also found—Senator McIlraith quoted a precedent in that regard—that the Senate has in many other cases amended the committee report. Since both practices have been followed by the Senate over a great number of years, I do not see why either practice should be discontinued. Presumably, if the amendment or amendments to the report were unduly complicated, it might be preferable to refer the matter back to the committee, but that does not appear to be the case here. In any event, the Senate retains the option.

Senator McIlraith's amendment, in my opinion, is perfectly in order, and although Senator Grosart's point of order appears at first glance to have some validity, I rule that under the circumstances it is not well taken. It is therefore in order, if Honourable Senators now wish to pursue the debate on the amendment, to do so.

Some question has been raised concerning the status and clarification of the Forms and Proceedings which appear as an Appendix to the Rules, but are not themselves rules of the Senate. I am informed that the matter has already been brought to the attention of the Standing Committee on Standing Rules and Orders and I shall not comment further on this aspect at this time.

Honourable Senators, if there are no other speakers on the motion in amendment, the Chair is ready to put the question.

After debate, and—

The question being put on the motion, in amendment, of the Honourable Senator McIlraith, P.C., seconded by the Honourable Senator Connolly, P.C., that the Report be not now adopted but that it be amended by striking out the first three paragraphs thereof and substituting therefor the following:

"The Standing Senate Committee on Agriculture to which was referred the Bill C-34, intituled: "An Act to amend the Farm Credit Act", has, in obedience to the order of reference of Tuesday, April 22, 1975 examined the said Bill and now reports the same, without amendment, but with the following recommendations:"

It was—
Resolved in the affirmative, on division.

The question then being put on the motion of the Honourable Senator Argue, seconded by the Honourable Senator Bélisle, for the adoption of the Report of the Standing Committee on Agriculture on the Bill C-34, intituled: "An Act to amend the Farm Credit Act", as amended,

It was—
Resolved in the affirmative, on division.

With leave of the Senate,

The Honourable Senator McDonald moved, seconded by the Honourable Senator Petten, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill, without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the second reading of the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

8 MAY 1975

Madam,

I have the honour to inform you that the Honourable R. G. B. Dickson, LL.D., D.C.L., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 8th day of May, at 5.15 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,

Madam,

Your obedient servant,

ANDRÉ GARNEAU
Brigadier General

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Fergusson, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th of January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

After debate,

The Honourable Senator Petten for the Honourable Senator Inman moved, seconded by the Honourable Senator Connolly, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 13th May, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five ten o'clock p.m., it was—

Resolved in the affirmative. 3.50 p.m.

The sitting of the Senate was resumed. 5.15 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to

await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Robert G. B. Dickson, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to amend the Senate and House of Commons Act, the Salaries Act and the Parliamentary Secretaries Act

An Act to amend the Farm Credit Act

An Act to amend the Fort-Falls Bridge Authority Act.

To these Bills the Royal Assent was pronounced by the Clerk to the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Petten moved, seconded by the Honourable Senator Fergusson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 85

Tuesday, 13th May, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Boucher,
Bourget,
Cameron,
Carter,
Choquette,
Connolly
(*Ottawa West*),
Cook,

Côté,
Cottreau,
Croll,
Denis,
Desruisseaux,
Eudes,
Fergusson,
Flynn,
Fournier
(*de Lanaudière*),
Fournier
(*Madawaska-
Restigouche*),

Giguère,
Goldenberg,
Graham,
Grosart,
Haig,
Hayden,
Hays,
Inman,
Lafond,
Laird,
Lamontagne,
Lang,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McGrand,
McIlraith,
Michaud,
Molgat,
Molson,

Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Prowse,
Riley,
Robichaud,
Rowe,
Thompson,
van Roggen,
Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, May 7, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Daudlin has been substituted for that of Mr. Caccia on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, May 8, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Isabelle has been substituted for that of Mr. Clermont on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-19, intituled: "An Act to provide for payments in respect of wheat produced and sold in Canada for human consumption in Canada", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 15th May, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the number and amount of loans to Indians made under section 70(1) of the *Indian Act* for the fiscal year ended March 31, 1975, pursuant to section 70(6) of the said Act, Chapter I-6, R.S.C., 1970.

Capital Budget of the National Battlefields Commission for the fiscal year ending March 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-475, dated February 27, 1975, approving same.

Revised Capital Budget of the Northern Canada Power Commission for the fiscal year ended March 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-731, dated March 27, 1975, approving same.

Report of Air Canada for the year ended December 31, 1974, pursuant to section 27 of the *Air Canada Act*, Chapter A-11, R.S.C., 1970.

Copies of a document entitled "Proposals for the First Year of Consensus", issued by the Department of Finance.

Copies of Notes exchanged between the Government of Canada and the Government of the United States of America constituting an Agreement to renew the Agreement of May 12, 1958, as extended, concerning the organization and operation of the North American Air Defence Command (NORAD). Washington, May 8, 1975. In force May 8, 1975.

Report of Eldorado Nuclear Limited and its subsidiary, Eldorado Aviation Limited, including their accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Capital Budget of the Canadian Saltfish Corporation for the fiscal year ending March 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-859, dated April 17, 1975, approving same.

Copies of final communiqué issued following the Meeting of Commonwealth Heads of Government, held in Kingston, Jamaica, April 29 to May 6, 1975.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Manning, P.C., resumed the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the second reading of the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade".

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states".

After debate,

The Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator Carter, that the Report be amended by striking out amendment number 3 in the Report and substituting therefor the following:

"3. Page 7:

Strike out lines 38 to 41, inclusive, and substitute therefore the following:

"12. (1) The Minister may amend, suspend, cancel or reinstate any export permit other than an export permit issued on the direction of the Review Board.

(2) Where the Minister amends, suspends, cancels or reinstates an export permit under subsection (1), he shall forthwith send a written notice to that effect to the person who applied for the permit."

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Carter moved, seconded by the Honourable Senator Giguère, that the Report, as amended, be now adopted.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator Inman, that the

Bill, as amended, be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th of January, 1975.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon the subject-matter of the Bill C-60, intituled: "An Act respecting bankruptcy and insolvency", in advance of the said Bill coming before the Senate, or any matter relating thereto; and

That the Committee have power to engage the services of such counsel, staff and technical advisers as may be necessary for the purpose of the said examination.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 86

Wednesday, 14th May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Inman,	Molgat,
Asselin,	Côté,	(<i>Madawaska-</i>	Lafond,	Molson,
Barrow,	Cottreau,	<i>Restigouche</i>),	Laird,	Norrie,
Basha,	Croll,	Fournier	Lamontagne,	O'Leary,
Beaubien,	Davey,	(<i>Restigouche-</i>	Lang,	Paterson,
Bélisle,	Denis,	<i>Gloucester</i>),	Langlois,	Perrault,
Blois,	Desruisseaux,	Giguère,	Lapointe,	Petten,
Boucher,	Duggan,	Goldenberg,	Lefrançois,	Phillips,
Bourget,	Eudes,	Graham,	Macdonald,	Prowse,
Cameron,	Everett,	Greene,	Macnaughton,	Riley,
Carter,	Fergusson,	Grosart,	Manning,	Robichaud,
Choquette,	Flynn,	Haig,	McDonald,	Rowe,
Connolly	Fournier	Hayden,	McGrand,	Thompson,
(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Hays,	McIlraith,	van Roggen,
			Michaud,	Walker.

PRAYERS.

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Petten, that the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states", be read the third time, as amended.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill, as amended, was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill with eight amendments to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the second reading of the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in inter-provincial and export trade".

After debate,

The Honourable Senator Prowse moved, seconded by the Honourable Senator Cottreau, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th of January, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator McGrand moved, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Fergusson, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave,

The Senate reverted to Presentation of Petitions.

The following petition was presented:—

By the Honourable Senator Prowse for the Honourable Senator Hays, P.C.:

Of John Torrance DesBrisay, of the City of Toronto, in the Province of Ontario; George Howard Eaton, of the City of Vancouver, in the Province of British Columbia and others of elsewhere; praying to be incorporated

under the name of "National Commercial Bank of Canada" and, in French, "La Banque Nationale de Commerce du Canada".

The Honourable Senator Langlois moved, seconded by the Honourable Senator Fournier (*de Lanaudière*),

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 87

Thursday, 15th May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Blois,
Boucher,
Bourget,
Cameron,
Carter,
Choquette,

Connolly
(*Ottawa West*),
Cook,
Côté,
Cottreau,
Croll,
Denis,
Desruisseaux,
Eudes,
Everett,
Fergusson,
Flynn,
Fournier
(*de Lanaudière*),

Fournier
(*Madawaska-
Restigouche*),
Fournier
(*Restigouche-
Gloucester*),
Giguère,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hays,

Inman,
Lafond,
Laird,
Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
McDonald,
McGrand,
McIlraith,
Michaud,
Molgat,

Neiman,
Norrie,
O'Leary,
Perrault,
Petten,
Phillips,
Prowse,
Robichaud,
Rowe,
Thompson,
van Roggen,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Orders in Council P.C. 1975-1007 and 1975-1008, both dated May 6, 1975, amending, respectively, Parts I and II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

The following petition was read and received:—

Of John Torrance DesBrisay, of the City of Toronto, in the Province of Ontario; George Howard Eaton, of the City of Vancouver, in the Province of British Columbia and others of elsewhere; praying to be incorporated under the name of "National Commercial Bank of Canada" and, in French, "La Banque Nationale de Commerce du Canada".

The Clerk of the Senate laid on the Table the third Report of the Examiner of Petitions for Private Bills, as follows:—

THURSDAY, May 15, 1975.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his third report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:

Of John Torrance DesBrisay, of the City of Toronto, in the Province of Ontario; George Howard Eaton, of the City of Vancouver, in the Province of British Columbia and others of elsewhere; praying to be incorporated under the name of "National Commercial Bank of Canada" and, in French, "La Banque Nationale de Commerce du Canada".

Respectfully submitted.

Pierre Godbout,
Examiner of Petitions for Private Bills.

The Honourable Senator Hays, P.C., presented to the Senate a Bill S-24, intituled: "An Act to incorporate the National Commercial Bank of Canada".

The Bill was read the first time.

The Honourable Senator Hays, P.C., moved, seconded by the Honourable Senator Greene, P.C., that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 20th May, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 20th May, 1975, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the second reading of the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in inter-provincial and export trade".

After debate,
The Honourable Senator Prowse for the Honourable Senator Hays, P.C., moved, seconded by the Honourable Senator Goldenberg, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Molgat moved, seconded by the Honourable Senator McDonald, that the Bill C-19, intituled: "An Act to provide for payments in respect of wheat produced and sold in Canada for human consumption in Canada", be read the second time.

After debate,
The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator

Fergusson, P.C., calling the attention of the Senate to the visit of a delegation of Canadian Parliamentarians to Mexico, 6th to 10th January, 1975.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 88

Tuesday, 20th May, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Connolly	Giguère,	Langlois,	Norrie,
Basha,	(Ottawa West),	Godfrey,	Lapointe,	O'Leary,
Beaubien,	Cook,	Goldenberg,	Lefrançois,	Paterson,
Bélisle,	Croll,	Graham,	Macdonald,	Perrault,
Blois,	Denis,	Grosart,	Macnaughton,	Petten,
Bonnell,	Desruisseaux,	Hays,	Manning,	Prowse,
Boucher,	Eudes,	Heath,	McElman,	Quart,
Bourget,	Flynn,	Hicks,	McGrand,	Robichaud,
Buckwold,	Fournier	Lafond,	McIlraith,	Stanbury,
Burchill,	(de Lanaudière),	Laird,	Michaud,	Sullivan,
Carter,	Fournier	Lamontagne,	Molson,	Thompson,
Choquette,	(Restigouche- Gloucester),	Lang,	Neiman,	Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, May 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Rodriguez has been substituted for that of Mr. Brewin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Canadian National Railways for the year ended December 31, 1974, pursuant to section 40 of the *Canadian National Railways Act*, Chapter C-10, R.S.C., 1970.

Report of the Canadian National Railways Securities Trust for the year ended December 31, 1974, pursuant to section 17 of the *Canadian National Railways Capital Revision Act*, Chapter 311, R.S.C., 1952.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-25, intituled: "An Act to amend the Privileges and Immunities (International Organizations) Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 22nd May, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the second reading of the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in inter-provincial and export trade".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Hays, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Molgat, seconded by the Honourable Senator McDonald, for the second reading of the Bill C-19, intituled: "An Act to provide for payments in respect of wheat produced and sold in Canada for human consumption in Canada",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Hays, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill S-24, intituled: "An Act to incorporate the National Commercial Bank of Canada", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

In amendment, the Honourable Senator Neiman moved, seconded by the Honourable Senator Norrie, that the Bill be now read the second time, but that the subject-matter thereof be referred to the Standing the Bill be not now read the second time, but that the

After debate,

The Honourable Senator Robichaud, P.C., moved, seconded by the Honourable Senator Eudes, that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 89

Wednesday, 21st May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Basha,
Beaubien,
Bélisle,
Blois,
Bonnell,
Boucher,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,
Cook,

Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),
Giguère,

Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Hays,
Heath,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McElman,
McGrand,
McIlraith,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,

O'Leary,
Perrault,
Petten,
Phillips,
Prowse,
Quart,
Riley,
Robichaud,
Stanbury,
Sullivan,
Thompson,
van Roggen,
Walker.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Capital Budget of The St. Lawrence Seaway Authority for the year ending December 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-1066, dated May 8, 1975, approving same.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-24, intituled: "An Act to incorporate the National Commercial Bank of Canada",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until Tuesday next, 27th May, 1975.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Molgat, seconded by the Honourable Senator McDonald, for the second reading of the Bill C-19, intituled: "An Act to provide for payments in respect of wheat produced and sold in Canada for human consumption in Canada".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Petten moved, seconded by the Honourable Senator Giguère, that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the

second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Desruisseaux resumed the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Inman, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Perrault, P.C., resumed the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems.

After debate,

With leave of the Senate,

The Honourable Senator Desruisseaux moved, seconded by the Honourable Senator Basha, that further debate on the motion be adjourned until Tuesday next, 27th May, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal

government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Thursday, 5th June, 1975.

The Honourable Senator Godfrey moved, seconded by the Honourable Senator Cook:

That, pursuant to section 40 of the *Senate and House of Commons Act*, the Senate make regulations rendering more stringent upon members of the Senate the provisions of that Act that relate to attendance of senators and to deductions to be made from the sessional allowance and that, as a preliminary procedure in the making of such regulations, the following proposed regulations be adopted by the Senate for the purposes of section 3 of the *Statutory Instruments Act*:

REGULATIONS OF THE SENATE RESPECTING
ATTENDANCE OF SENATORS AT SITTINGS OF
THE SENATE AND DEDUCTIONS TO BE MADE
FROM THE SESSIONAL ALLOWANCE

1. These Regulations may be cited as the *Senate Attendance Regulations*.

2. A deduction at the rate of \$180.00 per day shall be made from the sessional allowance of a senator for every day

(a) beyond eleven, in the case of a Senator who represents the Province of Ontario or Quebec,

(b) beyond sixteen, in the case of a senator who represents the Province of Nova Scotia, New Brunswick, Prince Edward Island, Manitoba, Saskatchewan or Alberta, and

(c) beyond twenty-one, in the case of a senator who represents the Province of British Columbia or Newfoundland,

on which the senator does not attend a sitting of the Senate, if the Senate sits on such day.

3. (1) Subject to subsection 2, in each calendar year no more than a total number of 15 days on which a senator is unable to attend a session by reason of illness shall be reckoned as days of attendance at that session.

(2) Where in any calendar year the number of days on which a senator is unable to attend a session by reason of illness is less than the maximum number of such days that may be reckoned as days of attendance under this section for that year, the difference between that number and the maximum number may be added to the maximum number of such days that may be so reckoned under this section in any subsequent year.

(3) In this section, "calendar year" includes the year in which a person is appointed to the Senate.

After debate,

In amendment, the Honourable Senator Cook moved, seconded by the Honourable Senator Croll, that the motion be not now adopted but that the subject-matter thereof be referred to the Standing Committee on Internal Economy, Budgets and Administration.

After debate, and—

The question being put on the motion, in amendment, it was—

Resolved in the affirmative, on division.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to consider the question of financial compensation by the federal government for the maintenance, by the Provinces of Ontario and Quebec, of their own police forces.

After debate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—

Resolved in the affirmative.



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Journals of the Senate

No. 90

Thursday, 22nd May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Choquette,	Godfrey,	Lefrançois,	O'Leary,
Basha,	Cook,	Goldenberg,	Macdonald,	Perrault,
Beaubien,	Côté,	Graham,	Macnaughton,	Petten,
Bélisle,	Croll,	Greene,	Manning,	Phillips,
Blois,	Davey,	Grosart,	McElman,	Prowse,
Bonnell,	Denis,	Heath,	McGrand,	Quart,
Boucher,	Desruisseaux,	Inman,	McIlraith,	Riley,
Bourget,	Eudes,	Lafond,	McNamara,	Robichaud,
Buckwold,	Everett,	Laird,	Michaud,	Thompson,
Burchill,	Flynn,	Lamontagne,	Molgat,	van Roggen,
Cameron,	Fournier	Langlois,	Neiman,	Walker.
Carter,	(Restigouche- Gloucester),	Lapointe,	Norrie,	

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:

Schedule of authorized class levels and rates of compensation of all Senate positions except those classified as Executive Officer, dated May 22, 1975.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, May 22, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Joint Chairman of the Standing Joint Committee of the Senate and House of Commons on Regulations and other Statutory Instruments for the proposed expenditures of the said Standing Joint Committee with respect to its review and scrutiny of statutory instruments pursuant to the report adopted by the Senate on 29th October, 1974. The said budget is as follows:

Professional and Special Services	\$24,750
Respectfully submitted,	

KEITH LAIRD,
Chairman

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, May 22, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade and Commerce for the proposed expenditures of the said Committee, with respect to its examination and report upon the subject-matter of the Bill C-60, intituled: "An Act respecting bankruptcy and insolvency", in advance of the said Bill coming before the Senate, or any matter relating thereto, authorized by the Senate on the 13th May, 1975. The said budget is as follows:

Professional and Special Services	\$ 8,500.00
Transportation and Communications	1,850.00
Printing	39,720.00
Other Expenditures	3,000.00
	<hr/>
	\$53,070.00

Respectfully submitted,

KEITH LAIRD,
Chairman

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator McIlraith, P.C.:

That the name of the Honourable Senator Perrault be substituted for that of the Honourable Senator Ferguson on the list of Senators serving on the Special Joint Committee on Immigration Policy; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 27th May, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator van Roggen moved, seconded by the Honourable Senator Grosart, that the Bill S-25, intituled: "An Act to amend the Privileges and Immunities (International Organizations) Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator van Roggen moved, seconded by the Honourable Senator Grosart, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-24, intituled: "An Act to incorporate the National Commercial Bank of Canada".

After debate,

The Honourable Senator Choquette moved, seconded by the Honourable Senator Quart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A question of privilege having been raised by the Honourable Senator Greene, P.C., with respect to the *Minutes of the Proceedings of the Senate* of Wednesday, 21st May, 1975, the Honourable the Speaker reserved her decision.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Grosart:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to consider the

question of financial compensation by the federal government for the maintenance, by the Provinces of Ontario and Quebec, of their own police forces.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Deschatelets, P.C., calling the attention of the Senate to the claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the Quebec Provincial Police Force and to the ever-increasing costs of maintaining the various police forces in Canada.

Debated.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 91

Tuesday, 27th May, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Basha,
Beaubien,
Bélisle,
Bonnell,
Boucher,
Bourget,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Fournier
(Restigouche-
Gloucester),

Giguère,
Goldenberg,
Graham,
Haig,
Hays,
Inman,
Lafond,
Laird,
Lang,
Langlois,
Lapointe,

Lawson,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McElman,
McIlraith,
Molson,
Neiman,
Norrie,
Paterson,

Petten,
Phillips,
Prowse,
Riley,
Robichaud,
Rowe,
Sparrow,
Thompson,
van Roggen,
Walker.

PRAYERS.

Tribute was paid to the Honourable Muriel McQueen Fergusson, P.C., who resigned from the Senate on 23rd May, 1975.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, May 21, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Douglas (Bruce-Grey) has been substituted for that of Mr. Daudlin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, May 21, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Lachance has been substituted for that of Miss Bégin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, May 21, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Joyal and Daudlin have been substituted for those of Messrs. Prud'homme and Douglas (Bruce-Grey) on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, May 22, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Orlikow has been substituted for that of Mr. Rodriguez on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, May 23, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Scott has been substituted for that of Mr. Alexander on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, May 23, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Anderson and Prud'homme have been substituted for those of Messrs. Guay (*St. Boniface*) and Joyal on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Langlois laid on the Table the following:—

Report of the Department of National Health and Welfare for the fiscal year ended March 31, 1974, pursuant to section 13 of the *Department of National Health and Welfare Act*, Chapter N-9, R.S.C., 1970.

Copies of Report, dated March 31, 1975, entitled: "Project BILCOM—an assessment of the demand for the use of both official languages in Canadian domestic air/ground communications", together with a Minority Report, dated March 22, 1975.

Report of the Master of the Royal Canadian Mint, including accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report on operations under the *Regional Development Incentives Act* for the month of February 1975, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Capital Budget of the Farm Credit Corporation for the fiscal year ending March 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-1069, dated May 13, 1975, approving same.

Capital Budget of the Export Development Corporation for the year ending December 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-956, dated April 25, 1975, approving same.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code", presented the following Report:—

TUESDAY, May 27, 1975.

The Standing Senate Committee on Legal and Constitutional Affairs to which was referred Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code" has in obedience to the order of reference of December 20th, 1974, examined the said Bill and now reports the same with the following amendments:

1. *Page 1*: Strike out lines 10 to 12 inclusive and substitute therefor the following:

"2. Subsections 35(2) and (3) of the said Act are repealed and the following substituted therefor:

"(2) If, pursuant to subsection (1), the court finds that the accused was not in possession of a controlled drug, he shall be acquitted, but, if the court finds that the accused was in possession of a controlled drug, he shall be given an opportunity of establishing that he was not in possession of the controlled drug for the purpose of trafficking, and thereafter the prosecutor shall be given an opportunity of adducing

evidence to establish that the accused was in possession of the controlled drug for the purpose of trafficking."

2. *Page 1*: Strike out lines 26 and 27 of the French version and substitute therefor the following:

"dans cet endroit, qu'il a des raisons de soupçonner d'être en possession d'une drogue"

3. *Page 5*: Strike out line 2 and substitute therefor the following:

"offence under subsection (2), he shall be"

4. *Page 5*: Add immediately after line 6 the following:

"(4) Notwithstanding subsection 2(2) of the *Criminal Records Act*, a person who, after the commencement of this Part, is directed to be discharged absolutely under section 662.1 of the *Criminal Code* for a first offence under subsection (2) of this section shall be deemed to have been granted a pardon under subsection 4(5) of the *Criminal Records Act*.

(5) Notwithstanding subsection 2(2) of the *Criminal Records Act*, where, after the commencement of this Part, a person has been directed to be discharged upon conditions prescribed in a probation order under section 662.1 of the *Criminal Code* for a first offence under subsection (2) of this section and the period for which the probation order is to remain in force has terminated, that person shall be deemed to have been granted a pardon under section 4 of the *Criminal Records Act* on the date of termination of that period.

(6) Subsection (5) does not apply where a discharge has been revoked under subsection 662.1(4) of the *Criminal Code*."

5. *Page 5*: Strike out line 23 and substitute therefor the following:

"than fourteen years less one day."

6. *Page 5*: Strike out lines 34 to 42 and substitute therefor the following:

"imprisonment for a term of not more than fourteen years less one day."

7. *Page 8*: Strike out line 17 and substitute therefor the following:

"to be a reference to the definition "cannabis", and"

8. *Page 10*: Strike out lines 9 and 10 of the French version and substitute therefor the following:

"dans cet endroit, qu'il a des raisons de soupçonner d'être en possession d'un stupé-"

Your Committee appreciates that its amendment to section 48 in clause 7 of the Bill, set out above as amendment number 4, introduces an exception to the general law under the *Criminal Records Act* affecting conditional and unconditional discharges under the *Criminal Code*. It believes that the application of the principle contained in the amendment might be appropriate in the case of

other criminal offences where the court directs a conditional or unconditional discharge for a first offence.

Accordingly, your Committee, in addition to the specific amendments proposed, recommends that the Government consider the advisability of extending to other offences the principle contained in the amendment to section 48 so that where an accused is discharged for a first offence, he shall be deemed to have been granted a pardon either immediately, in the case of an absolute discharge, or on the termination of the period of probation, in the case of a conditional discharge.

Respectfully submitted,

H. CARL GOLDENBERG,
Chairman.

The Honourable Senator Goldenberg moved, seconded by the Honourable Senator Prowse, that the Report be taken into consideration at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Sparrow for the Honourable Senator Everett, from the Standing Senate Committee on National Finance, which was authorized to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending the 31st March, 1976, in advance of bills based upon the said Estimates reaching the Senate, presented to the Senate the Report of the said Committee on the said Estimates, as follows:—

THURSDAY, May 22, 1975.

The Standing Senate Committee on National Finance, to which the Estimates laid before Parliament for the fiscal year ending March 31, 1976 were referred, has in obedience to the order of reference of Thursday, the 20th of February 1975, examined the said Estimates and reports as follows:

1. Your Committee was authorized by the Senate, as recorded in the *Minutes of the Proceedings of the Senate* of the 20th of February 1975, "to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending the 31st March, 1976, in advance of bills based upon the said Estimates reaching the Senate."

2. In obedience to the foregoing, your Committee made a general examination of the Estimates and heard evidence from the Honourable J. Chrétien, President of the Treasury Board, and Mr. B. A. MacDonald, Deputy Secretary, Program Branch, Treasury Board.

3. The Main Estimates for 1975-76 amount to \$29,585 million. Of this amount \$13,907 million are statutory in nature, \$14,335 million represent funds for which Parlia-

ment is asked to provide new authority and \$1,343 million are non-budgetary items being loans, investments and advances. In the 1974-75 fiscal year the Main Estimates amounted to \$23,297 million and by four Supplementary Estimates they were increased to \$28,233 million, of which \$12,934 million were statutory in nature, \$13,595 million representing funds for which Parliament is asked to provide new authority and \$1,704 million in non-budgetary items.

4. The difference between the Main Budgetary Estimates of 1975-76 (\$28,242 million) and the Main Budgetary Estimates of 1974-75 (\$22,023 million) is \$6,219 million, an increase of 28.2 per cent. It is likely that this percentage increase will also pertain to the difference between the final budgetary authorization for 1975-76 and for 1974-75, observing the increase in budgetary expenditures between March 31, 1973 and March 31, 1974 was 23.7 per cent and between March 31, 1974 and March 31, 1975 was 29 per cent. It is noted that between March 31, 1973 and March 31, 1974 (the latest complete fiscal year for which a figure is available) the GNP increased by 15.6 per cent.

In the same vein, during the last ten years the budgetary estimates have increased from a total \$7,979 million in 1965-66 to \$28,241 million in 1975-76 which will eventually be larger due to Supplementary Estimates. It is a ten year increase of 253 per cent.

The growth of budgetary expenditures by function between 1966-67 and 1974-75 is as follows:

	(\$ millions)		
	1966-67	1974-75 (forecast)	Increase
Health and welfare	1,994	7,023	5,029
Economic development and support	1,205	4,342	3,137
Public debt	1,191	3,175	1,984
Defence	1,651	2,512	861
Fiscal transfer payments to provinces	515	2,631	2,116
Transportation and communications	941	1,934	993
General government services	372	1,214	842
Internal overhead expenses	391	887	496
Foreign affairs	230	512	282
Culture and recreation	218	580	362
Education assistance	90	643	553

You will note that by far the largest increase in expenditure is in Health and Welfare, whose percentage of the estimates for 1975-76 will be 27.8 per cent.

Expenditures by the various levels of government, exclusive of transfer payments, have grown between 1964 and 1973 as shown in the following table which is for

calendar years and also includes the percentage of the GNP.

	(\$ millions)		
	1964	1973	Increase
All governments	14,905	44,755	29,850
	29.6 %	37.6 %	
Federal government	6,758	17,595	10,837
	13.4	14.8	
Provincial governments	3,245	12,993	9,748
	6.5	10.9	
Local governments	3,848	10,500	6,652
	7.7	8.8	
Hospitals	1,054	3,261	2,207
	2.1	2.7	
Pensions	—	406	406
		.3	

Your Committee also notes that the number of continuing employees on the 30th of September 1973 was 272,089 and the number of planned continuing employees for 31st of March 1976 will be 321,668. This is a jump of 49,579 or 18 per cent in two and one-half years.

5. In comparing the Main Estimates of 1975-76 with the final authorization of 1974-75 some of the major increases are as follows:

Increases in Statutory Items		(\$ Millions)
Fiscal Transfer Payments Program		463
Public Debt Program		455
Hospital Insurance Contributions		261
Family Allowance Payments		171
Medical Care Contributions		100
Canada Assistance Plan Payments		69
Increases in Voted Items		
Defence Services		345
Post Office		190
Canadian International Development Agency		152
Payment of subsidies on Imported Oil		136
Central Mortgage and Housing Corporation		100
Accommodation Program		97
Royal Canadian Mounted Police		74
Northern Affairs		65
Correctional Services Program		59
Development and Utilization of		
Manpower Program		57
Indian and Eskimo Affairs Program		56
Canadian Broadcasting Corporation		54
Air Transportation Program		52
Increases in Non-Budgetary Items		
Supply and Services		185
Canadian National Railways		147
Atomic Energy of Canada Ltd.		72

Your Committee views with concern the continuing authority established by an Appropriation Act of 1965 which gives the Canadian International Development Agency non-lapsing authority to carry over funds from year to year. Your Committee reiterates an opinion that it has expressed a number of times in the past that an

authority of this nature should emanate from an Act of Parliament and not from an Appropriation Act.

Respectfully submitted.

D. D. EVERETT,
Chairman.

The Honourable Senator Sparrow moved, seconded by the Honourable Senator Riley, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That the Standing Senate Committee on National Finance have power to sit while the Senate is sitting tomorrow, Wednesday, 28th May, 1975, and on Wednesday, 4th June, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator van Roggen moved, seconded by the Honourable Senator Prowse, that the Bill S-25, intituled: "An Act to amend the Privileges and Immunities (International Organizations) Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Hays, P.C., resumed the debate on the motion of the Honourable Senator Hays, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill S-24, intituled: "An Act to incorporate the National Commercial Bank of Canada".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Hays, P.C., moved seconded by the Honourable Senator McIlraith, P.C., that the Bill

be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Croll resumed the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian textile problems.

After debate,

The Honourable Senator Asselin, P.C., moved seconded by the Honourable Senator Choquette, that the subject-matter of the inquiry be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 92

Wednesday, 28th May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Carter,	Eudes,	Langlois,	O'Leary,
Barrow,	Choquette,	Flynn,	Lapointe,	Petten,
Basha,	Connolly	Goldenberg,	Lawson,	Phillips,
Beaubien,	(Ottawa West),	Graham,	Lefrançois,	Prowse,
Bélisle,	Cook,	Greene,	Macdonald,	Riley,
Blois,	Côté,	Haig,	Macnaughton,	Robichaud,
Bonnell,	Cottreau,	Hays,	McDonald,	Rowe,
Boucher,	Croll,	Inman,	McIlraith,	Sparrow,
Bourget,	Davey,	Lafond,	Molson,	Thompson,
Buckwold,	Deschatelets,	Laird,	Neiman,	van Roggen,
Cameron,	Desruisseaux,	Lamontagne,	Norrie,	Walker.

PRAYERS.

The Honourable Senator Langlois laid on the Table the following:—

Report of the Public Service Commission of Canada for the year ended December 31, 1974, pursuant to section 45 of the *Public Service Employment Act*, Chapter P-32, R.S.C., 1970.

Report of the Public Service Commission on Positions or Persons excluded from the operation of the *Public Service Employment Act* for the year ended December 31, 1974, pursuant to section 45 of the said Act, Chapter P-32, R.S.C., 1970.

Report of the Public Service Commission on Delegation of Staffing Authority for the year ended December 31, 1974, pursuant to section 45 of the *Public Service Employment Act*, Chapter P-32, R.S.C., 1970.

Report of the Canadian Turkey Marketing Agency, together with financial statements and the auditors' report thereon, for the year ended December 31, 1974, pursuant to section 31 of the *Farm Products Marketing Agencies Act*, Chapter 65, Statutes of Canada, 1970-71-72.

The Honourable Senator Bourget, P.C., Deputy Chairman, from the Standing Senate Committee on Transport and Communications to which was referred the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft", reported that it had examined the said Bill and had directed him to report the same to the Senate, as follows:—

WEDNESDAY, May 21, 1975

The Standing Senate Committee on Transport and Communications to which was referred the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft", has in obedience to the order of reference of October 23rd, 1974, examined the said Bill and now reports as follows:—

Your Committee recommends that this Bill be not proceeded with further in the Senate for the following reason:

This Bill, which would establish in Canada a central aircraft registry, deals with the protection of certain property rights and other interests in aircraft and, in the considered view of your Committee, its enactment by the Parliament of Canada would, in the absence of a clear judicial determination of its constitutionality, give rise to considerable uncertainty as to whether or not the matters to which it extends come within a class of subject over which the Parliament of Canada has exclusive jurisdiction.

Your Committee further reports that in the course of its consideration of the constitutional aspects of this

Bill, a letter from the Chairman was sent to each of the provincial attorneys-general to solicit their views on the proposed legislation. In replying to the letter, the provinces expressed concern over the constitutional problems the Bill would create in the absence of clearly valid complementary federal and provincial legislation. The provinces, as well as the witnesses heard by your Committee, expressed the view that the Bill, if enacted, would result in confusion, unless some effort were made in consultation with the provinces to resolve in advance potential conflicts with existing provincial statutes relating to property rights and mortgages.

Respectfully submitted.

MAURICE BOURGET,
Deputy Chairman.

With leave of the Senate,

The Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Langlois, that the Report be adopted now.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That the correspondence exchanged between the Standing Senate Committee on Transport and Communications and the Attorneys General of the Provinces, including letters and telegrams, with respect to the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft", be printed as an Appendix to the Debates of the Senate of this day.

The Honourable Senator Macnaughton, P.C., Acting Chairman, from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade", reported that it had examined the said Bill and had directed him to report the same to the Senate with nine amendments.

The amendments were then read by the Clerk Assistant as follows:—

1. *Page 2*: Strike out lines 23 and 24 and substitute therefor the following:
"for delivery outside Canada or for use as bunker or aircraft fuel outside"
2. *Page 15*: Strike out line 9 in the French version and substitute therefor the following:
"jours de sa signature ou, si le Parlement ne"

3. *Page 20*: Strike out line 27 in the French version and substitute therefor the following:
 "gaz, le fait de l'utiliser comme"
4. *Page 22*: Strike out line 41 in the French version and substitute therefor the following:
 "doivent être vendues ou livrées dans les régions ou les"
5. *Page 23*: Strike out line 6 in the French version and substitute therefor the following:
 "jours de sa signature ou, si le Parlement ne siège"
6. *Page 24*: Strike out lines 1 to 4, inclusive, and substitute therefor the following:
 "(b) purchase or otherwise acquire from within a producer-province or sell within a producer-province any gas for consumption outside that province unless the price paid therefor is a price approved by special or general orders of the Board; or"
7. *Page 28*: Insert immediately after line 17 the following:
 "(4) In determining a purchaser's cost of service for the purposes of subsection (1) or a purchaser's cost in respect of the acquisition and transportation of gas for the purposes of subsection (2), the Board shall be governed by the principles applied by it in determining those costs for the purposes of making orders with respect to traffic, tolls or tariffs under Part IV of the National Energy Board Act."
8. *Page 42*: Strike out line 29 and substitute therefor the following:
 "95. (1) Part I of this Act shall be deemed"
9. *Page 42*: Add immediately after line 31 the following:
 "(2) Sections 53 to 65 do not come into force until such time as the Governor in Council acquires power under subsection 51(1) or 52(1) to prescribe prices at which various kinds of gas to which Part III applies that are produced, extracted, recovered or manufactured in a producer-province within the meaning of that Part are to be sold on or for delivery in any areas or zones in Canada and outside that province or at any points on the international boundary of Canada."

With leave of the Senate,

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Hays, P.C., that the Report be adopted now.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Beaubien, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
 Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)".

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Macdonald, that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
 Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

The Honourable Senator Goldenberg moved, seconded by the Honourable Senator Cottreau, that the Report be adopted now.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until Tuesday next, 3rd June, 1975.

The question being put on the motion, it was—
 Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending the 31st March, 1976.

The Honourable Senator Sparrow moved, seconded by the Honourable Senator Cameron, that the Report be adopted now.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Rowe called the attention of the Senate to the Spring Meetings of the Inter-Parliamentary Union held at Colombo, Sri Lanka, 31st March to 5th April, 1975, and in particular to the discussions and proceedings of the Meetings and the participation therein of the delegation from Canada; and to the visit of the Canadian Parliamentary Delegation to Pakistan, 7th to 11th April, 1975.

Debated.

STATEMENT BY THE HONOURABLE THE SPEAKER

Honourable Senators:

On Thursday last, May 22, 1975, as reported at page 961 of the Debates of the Senate, Senator Greene spoke as follows:

"I rise pursuant to rule 33 which provides that a motion calling upon the Senate to take action may be moved without notice, and in such a situation all other things may be set aside.

Yesterday's Minutes of Proceedings failed to record a motion I made pointing out that the proposal made by Senator Godfrey was out of order in that it affected the balance of national accounts."

and then the Honourable Senator referred to an alleged ruling and concluded by saying:

"Therefor, I respectfully move, on a question of privilege, that this motion and Your Honour's ruling thereon should have been included in the Minutes of Proceedings for yesterday."

Because I had some doubts as to the acceptability of such a motion I indicated that I would look into the question raised and report later. I propose to do so at this time.

I have looked carefully at the records of the Debates for May 21, 1975, and have concluded that on that day Senator Greene made a suggestion rather than a motion and that no ruling was in fact made by me, although I did make a few observations respecting Senator Greene's remarks. What I said was, and I quote, 'I think no point of order arises. I am advised it is a legal opinion but we are not dealing with a bill. That is the problem. If I understand it correctly, Senator Greene's objections are based on Rule 62 which says "The Senate shall not proceed upon a bill appropriating public money that has not within the knowledge of the Senate been recommended by the Queen's representative."' "

What I was then trying to convey was that, in attempting to formulate a ruling on the point of order, some important questions of law and perhaps even the Canadian Constitution would inevitably have been involved, in particular the meaning and effect of two related Acts of Parliament. Those Acts are the *Senate and House of Commons Act* (R.S.C. 1970, c. S-8), in particular section 40 thereof, and the *Statutory Instruments Act* (S.C. 1970-71-72, c. 38), in particular the requirement that proposed Regulations must go, before final adoption, to the Privy Council Office, where there is consultation with the Justice Department on all aspects of the Regulations.

Senator Godfrey, in moving his motion, indicated that he was endeavouring to comply with both of these Acts of Parliament. Accordingly the motion dealt with proposed Regulations for submission to the Privy Council Office rather than with Regulations to be adopted forthwith.

It is quite clear from the authorities that the Speaker will not make decisions on legal points. Bourinot, in his 4th edition at page 180, states that "the Speaker will not give a decision upon a constitutional question, nor decide a question of law, though the same be raised upon a point of order or privilege." Also there are a number of precedents in this House to the same effect. The most recent appears to have been the ruling of Mr. Speaker Deschatelets (see Senate Debates June 20, 1972 at page 505).

Perhaps, without attempting to give a legal opinion, I might observe that section 40 of the *Senate and House of Commons Act* appears to confer a very limited regulation-making power on the Senate and certainly not a power that could possibly result in any increased

charges on the public treasury, or amount to an "appropriation" within the meaning of Senate Rule 62.

Finally, the subject matter of Senator Godfrey's motion has been referred to a committee, and the course of wisdom, on my part, would be to refrain from commenting further.

In the foregoing circumstances it appears to me that there was no point of order or ruling of a character that would require an entry in the *Minutes of the Proceedings of the Senate* for May 21.

In conclusion, and in accordance with modern Senate practice, this statement will be printed in the *Minutes of the Proceedings of the Senate* of this day.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 93

Thursday, 29th May, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Basha,
Beaubien,
Bélisle,
Blois,
Boucher,
Bourget,
Buckwold,
Cameron,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Flynn,

Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Giguère,
Goldenberg,
Graham,
Greene,
Haig,
Inman,

Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
McDonald,
McIlraith,
Molson,
Neiman,

Norrie,
O'Leary,
Paterson,
Petten,
Phillips,
Prowse,
Riley,
Robichaud,
Rowe,
Sparrow,
Stanbury,
Thompson.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, May 27, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Guay (St. Boniface) has been substituted for that of Mr. Anderson on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The following petition was presented:—

By the Honourable Senator Haig:

Of Aubrey Jay Halter, James Malcolm Halliday and Nola Peverette Halter, of the City of Winnipeg, in the Province of Manitoba; praying for the passing of an Act cancelling the notice of dissolution of Honey Bear Brewing Corporation Limited, published in the Canada Gazette on June 11, 1966 and June 24, 1967, and to change the name of the corporation to Aarnason's Brewing and Distilling (Denmark) Limited.

The Honourable Senator Haig from the Standing Senate Committee on Transport and Communications to which was referred the Bill C-5, intituled: "An Act to establish the Canadian Radio-television and Telecommunications Commission, to amend the Broadcasting Act and other Acts in consequence thereof and to enact other consequential provisions", reported that it had examined the said Bill and had directed him to report the same to the Senate, without amendment.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Buckwold from the Special Joint Committee on Employer-Employee Relations in the Public Service tabled the Third Report of the said Special Joint Committee.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 390-391).

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That the name of the Honourable Senator Rowe be substituted for that of the Honourable Senator Perrault, on the list of Senators serving on the Special Joint Committee on Immigration Policy; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 3rd June, 1975, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Bourget, P.C., seconded by the Honourable Senator Langlois, for the adoption of the Report of the Standing Senate Committee on Transport and Communications on the Bill S-5, intituled: "An Act to enable Canada to comply with a Convention on the International Recognition of Rights in Aircraft".

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Macnaughton, P.C., seconded by the Honourable Senator Hays, P.C., for the adoption of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum

products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that the Bill, as amended, be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending 31st March, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 388)

THURSDAY, May 22, 1975.

The Special Joint Committee of the Senate and of the House of Commons on Employer-Employee Relations in the Public Service has the honour to present its Third Report as follows:

Your Committee has to date held thirty-five public meetings between Wednesday, November 13, 1974 and Tuesday, May 27, 1975. Twenty-nine briefs have been received and considered by your Committee from a variety of interested parties *i.e.* bargaining agents representing employees in the Public Service of Canada; unions representing views outside the Public Service of Canada; the Treasury Board Secretariat representing the Government as employer; employer groups in the private sector, the Chairman of the Public Service Staff Relations Board and the Chairman of the Public Service Commission, personnel and labour relations specialists; university professors; and interested individuals.

Many have followed your Committee's deliberations with great interest and ten supplementary briefs have been received and are undergoing careful study. Forty-three witnesses have appeared before the Committee; all have been questioned at some length. Your Committee has now concluded its examination of the Treasury Board Secretariat. In due course, your Committee will further examine the Chairman of the Public Service Staff Relations Board in relation to recommendations made in his report to Government in April of 1974, and his further observations and recommendations contained in two supplementary reports sent to the Committee in March and April of this year.

It is unlikely that the last witness will be heard before the middle of June and therefore unlikely that your Committee will be in a position to provide a comprehensive and final report to the Senate and the House of Commons before the summer recess.

In his report to the Government, and with even greater emphasis in his supplementary representations to your Committee, the Chairman of the Public Service Staff Relations Board has expressed concern at the incapacity of the Board, as it is now structured, to carry the burden entrusted to it. This concern is expressed in his recent representations in the following terms:

"The experience of the last year, and particularly of the last few months, has demonstrated beyond the shadow of a doubt that it is becoming increasingly difficult for the Board as presently constituted to meet the demands that are made on it. If the Board is to be able to perform its functions both properly and in a timely fashion, no barriers should be erected to the effective use of all the resources of the Board in relation to its responsibilities. Every member of the Board must expect to be, and be capable of being, fully utilized in relation to his inherent capabilities."

Most of the witnesses before your Committee urged committee members to examine the structure and functions of the Public Service Staff Relations Board and underlined the importance of eliminating delays, of providing a system of quick but fair justice.

It has become increasingly evident to committee members in recent weeks that we are faced with having to resolve immediate administrative and operational problems which if left uncorrected would undermine the collective bargaining structure in the Public Service of Canada. In addition, the Committee must resolve substantive policy issues that are necessary to meet the complex needs of the parties in an evolving social climate. Your Committee believes that the policy issues with which it is faced cannot and indeed should not be resolved hastily.

Your Committee, however, does feel that the present administrative difficulties can be dealt with to meet urgent requirements without being prejudicial to the substantive decisions to be taken and which will form a later report. We are consequently separating the issue of the Board from the other issues and recommending in this Report a proposal relating to the structure of the Board which we urge the Government to consider without delay.

In evaluating the urgency that attaches to the problem of the structure and composition of the Board, committee members are aware of the labour relations and economic environment which prevail throughout the country and which affect the public and private sectors alike, and of the consequent pressures that have already arisen. The Public Service Staff Relations Board is designed to administer the Act, *e.g.* to moderate disputes and facilitate agreements between the Public Service as employer and its employees. On the whole it has served the system of collective bargaining and the country well since 1967. Signs of strain began to show in the early 1970's and we are now convinced, after examining the proposals in depth and after listening with care to all who had a point of view on this issue, that it is a matter of national importance to have a Board with the capacity to deal efficiently and effectively with the third-party dimensions of the employer-employee relationship if the collective bargaining process in the Public Service is to continue to operate successfully.

We are satisfied that the part-time, multi-dimensional Board provided for in the present legislation is ill-equipped to carry the load that is now thrust upon it. We, therefore, recommend that a Public Service Staff Relations Board be constituted with responsibility for all the major third-party responsibilities in the collective bargaining relationship, *i.e.* embracing the roles of the present Board, the Arbitration Tribunal and the adjudicators.

Your Committee considered the desirability of recommending that the language of the statute should provide assurance that in making appointments to the Board the Governor in Council would be obliged to respect the kind of composition suggested in the Finkelman Report, i.e.

"The Board should be composed of a mix of persons who have had legal training and laymen acquainted with various aspects of employer-employee relations. Some of the members should be drawn from those who have participated in collective bargaining on the side of employers and some who have participated in collective bargaining on the side of the employees."

The Government should seriously consider the advisability of endorsing the kind of "mix" which is reflected in the quotation from the Report and commit itself to endeavour, in discharging its responsibility in this area to cooperate with bargaining agents in ensuring effective "representation" on the Public Service Staff Relations Board.

Recommendations

Composition

The Government should give consideration to the advisability of introducing legislation providing for a Chairman, a Vice-Chairman, not less than three Deputy Chairmen and such other full-time and associate (part-time) members as may be required to discharge the responsibilities of the Board.

- (a) The functions and powers of the Arbitration Tribunal, the Chief Adjudicator and adjudicators should be assigned to the Public Service Staff Relations Board and discharged by members of the Board, sitting as panels or as individuals;
- (b) Incorporation into a composite public member Board of the authority and responsibilities of the the Chief Adjudicator, adjudicators, the Chairman and alternate chairmen of the Arbitration

Tribunal will necessitate the removal of the review powers of the Board of the authority in relation to questions of law and jurisdiction presently vested in it.

Appointment Procedure

The Chairman, Vice-Chairman and Deputy Chairmen should be appointed by the Governor in Council. Members are to be appointed by the Governor in Council from lists prepared by the Chairman after consultation with the parties, the lists to include the names of all persons nominated by any of the bargaining agents and by authorized representatives of the employer. A retiring Chairman, Vice-Chairman, Deputy Chairman or member should be eligible for reappointment to the Board in the same or another capacity.

Tenure

The Chairman, Vice-Chairman and Deputy Chairmen should hold office during good behaviour for a specified period not exceeding ten years and should be eligible for reappointment. Members and associate members should be appointed to hold office during good behaviour for a specified period not exceeding seven years and should be eligible for reappointment. No person should be able to hold an office on the Board after attaining the age of 70 years.

Distribution of Authority and Responsibilities within the Board

The Statute should identify the Chairman as the Chief Executive of the Board and should provide for the Vice-Chairman to exercise the powers and functions of the Chairman in his absence. The assignment of authority and responsibility to the Vice-Chairman and Deputy Chairmen for specified areas of the business of the Board and the conditions attaching to such assignments should be determined by the Board.

Respectfully submitted,

SIDNEY L. BUCKWOLD,
Joint Chairman.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 94

Tuesday, 3rd June, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Basha,
Beaubien,
Blois,
Bonnell,
Bourget,
Burchill,
Cameron,
Carter,
Choquette,
Cook,
Cottreau,

Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Fournier
(*Madawaska-
Restigouche*),

Fournier
(*Restigouche-
Gloucester*),
Giguère,
Grosart,
Haig,
Hayden,
Heath,
Hicks,
Lafond,
Laird,

Lamontagne,
Lapointe,
Lefrançois,
Macnaughton,
Manning,
McDonald,
McElman,
McIlraith,
McNamara,
Molson,
Neiman,

Norrie,
O'Leary,
Paterson,
Perrault,
Petten,
Phillips,
Robichaud,
Sullivan,
Thompson,
Walker,
Yuzyk.

PRAYERS.

The Honourable the Speaker informed the Senate that, in conformity with Rule 112, the Clerk of the Senate had laid on the Table a detailed statement of his receipts and disbursements for the fiscal year 1974-75.

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That the Clerk's Accounts be referred to the Standing Committee on Internal Economy, Budgets and Administration.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, June 2, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Miss Bégin and Mr. Alexander have been substituted for those of Messrs. Lachance and La Salle on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, June 2, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Gilbert and Lachance have been substituted for those of Messrs. Orlikow and Prud'homme on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill C-13, intituled: "An Act to amend the Northern Canada Power Commission Act",

And to acquaint the Senate that the Commons have agreed to the amendment made by the Senate to this Bill, without amendment.

A Message was brought from the House of Commons by their Clerk to return the Bill C-33, intituled: "An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states",

And to acquaint the Senate that the Commons have agreed to the amendments made by the Senate to this Bill, without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-3, intituled: "An Act to amend the British North America Acts, 1867 to 1975", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Hayden, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 5th June, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-37, intituled: "An Act to provide for the control of dumping of wastes and other substances in the ocean" to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Croll, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 5th June, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-47, intituled: "An Act to amend the Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 5th June, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the operations of the Exchange Fund Account, together with the Auditor General's report on the audit of the Account, for the year ended December 31, 1974, pursuant to sections 17 and 18(2) of the *Currency and Exchange Act*, Chapter C-39, R.S.C., 1970.

Report of the Minister of Finance respecting Olympic coins for the six months ended March 31, 1975, pursuant to sections 13(1) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

Report of Telesat Canada for the year ended December 31, 1974, including its accounts and financial statements certified by the Auditors, pursuant to section 37 of the *Telesat Canada Act*, Chapter T-4, R.S.C., 1970.

Copies of a document entitled "Federal Meat Inspection in Canada", issued by the Department of Agriculture.

The following petition was presented:—

By the Honourable Senator Flynn, P.C.:

Of Maurice Babeux, of the City of Boucherville, in the Province of Quebec; praying for the passing of an Act cancelling the notice of dissolution of Alliance Security & Investigation, Ltd. published in the *Canada Gazette* on June 22, 1968.

The Honourable Senator Perrault, P.C., for the Honourable Senator Riel, from the Special Joint Committee on Immigration Policy, presented its First Report as follows:

MONDAY, May 26, 1975.

The Special Joint Committee on Immigration Policy makes its First Report as follows:

On March 3, 1975 and March 5, 1975, the House of Commons and the Senate adopted a joint resolution which empowered your Committee to consider the Green Paper on Immigration Policy tabled by the Minister of Manpower and Immigration in the House of Commons on February 3, 1975, and to invite the views of the public on the issues raised therein.

The Committee is of the opinion that it will be unable to complete its enquiry within the time prescribed by its Order of Reference. The Committee recommends therefore that the date of submission of its report be extended until October 31, 1975.

Respectfully submitted.

MAURICE RIEL,
Joint Chairman.

With leave of the Senate,
The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Hayden, that the

Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That the name of the Honourable Senator Norrie be added to the list of Senators serving on the Standing Joint Committee on the Restaurant of Parliament; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting tomorrow, Wednesday, 4th June, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Petten moved, seconded by the Honourable Senator McDonald, that the Bill C-5, intituled: "An Act to establish the Canadian Radio-television and Telecommunications Commission, to amend the Broadcasting Act and other Acts in consequence thereof and to enact other consequential provisions", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill, without amendment.

The Order of the Day being called for the third reading of the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade", as amended,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Goldenberg, seconded by the Honourable Senator Cottleau, for the adoption of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate,

In amendment, the Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that the Report be not now adopted but that it be amended by adding thereto the following amendment:—

9. Page 4, line 22: Strike out the word "give".

After debate,

The Honourable Senator Manning, P.C., moved, seconded by the Honourable Senator Norrie, that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending 31st March, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Croll,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 95

Wednesday, 4th June, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Blois,
Bonnell,
Bourget,
Burchill,
Cameron,
Carter,
Choquette,

Cook,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,

Fournier
(*Madawaska-
Restigouche*),
Fournier
(*Restigouche-
Gloucester*),
Giguère,
Graham,
Greene,
Grosart,
Haig,
Hayden,

Heath,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,
Lapointe,
Lefrançois,
Macnaughton,
Manning,
McDonald,
McElman,

McIlraith,
McNamara,
Molson,
Neiman,
Paterson,
Perrault,
Petten,
Phillips,
Riley,
Robichaud,
Thompson,
Yuzk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill S-20, intituled: "An Act to amend the Territorial Lands Act",

And to acquaint the Senate that the Commons have passed this Bill, without amendment.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of operations under the *Fisheries Development Act* for the fiscal year ended March 31, 1974, pursuant to section 10 of the said Act, Chapter F-21, R.S.C., 1970.

Copies of Final Communiqué issued following the Heads of State and Government meeting of the North Atlantic Council held at Brussels, May 29 and 30, 1975.

The following petition was read and received:

Of Maurice Babeux, of the City of Boucherville, in the Province of Quebec; praying for the passing of an Act cancelling the notice of dissolution of Alliance Security & Investigation, Ltd., published in the Canada Gazette on June 22, 1968.

The Clerk of the Senate laid on the Table the fourth Report of the Examiner of Petitions for Private Bills, as follows:—

WEDNESDAY, June 4, 1975.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his fourth report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of Maurice Babeux, of the City of Boucherville, in the Province of Quebec; praying for the passing of an Act cancelling the notice of dissolution of Alliance Security & Investigation, Ltd., published in the Canada Gazette on June 22, 1968.

Respectfully submitted.

PIERRE GODBOUT,
Examiner of Petitions for Private Bills.

Pursuant to the Order of the Day, the Honourable Senator Petten moved, seconded by the Honourable Senator McDonald, that the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of

Canadian crude oil and natural gas in interprovincial and export trade", be read the third time, as amended.

In amendment, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Greene, P.C., that the Bill be not now read the third time, as amended, but that it be further amended as follows:—

Page 2: Strike out lines 25 and 26 in the French version and substitute therefor the following:

"ou pour utilisation comme combustible de soute ou d'aéronef à".

After debate, and—

The question being put on the motion, in amendment, it was—

Resolved in the affirmative.

The question then being put on the motion of the Honourable Senator Petten, seconded by the Honourable Senator McDonald, for the third reading of the Bill, as amended, it was—

Resolved in the affirmative.

The Bill, as amended, was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill with nine amendments to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion, in amendment, of the Honourable Senator Asselin, P.C., seconded by the Honourable Senator Choquette, to the motion of the Honourable Senator Goldenberg, seconded by the Honourable Senator Côtteau, for the adoption of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate,

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Croll, that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the First Report of the Special Joint Committee on Immigration Policy.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Denis, P.C., that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending 31st March, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established as an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That the name of the Honourable Senator McElman be substituted for that of the Honourable Senator Rowe on the list of Senators serving on the Special Joint Committee on Immigration Policy; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Croll,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 96

Thursday, 5th June, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Blois,
Bonnell,
Bourget,
Buckwold,
Burchill,
Cameron,

Carter,
Choquette,
Cook,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,

Flynn,
Fournier
(*Madawaska-
Restigouche*),
Fournier
(*Restigouche-
Gloucester*),
Giguère,
Goldenberg,
Graham,
Greene,
Grosart,

Haig,
Hastings,
Heath,
Inman,
Lafond,
Laird,
Lapointe,
Lefrançois,
Macnaughton,
McDonald,
McIlraith,
McNamara,

Neiman,
Norrie,
O'Leary,
Perrault,
Petten,
Phillips,
Riley,
Robichaud,
Thompson,
Walker,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, June 3, 1975.

Ordered, That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Landers has been substituted for that of Mr. Guay (*St. Boniface*) on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Reports of the Postmaster General respecting Olympic coins for the periods April 1 to September 30, 1974 and October 1, 1974 to March 31, 1975, pursuant to sections 13(2) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

The Honourable Senator Flynn, P.C., presented to the Senate a Bill S-26, intituled: "An Act respecting Alliance Security & Investigation, Ltd.".

The Bill was read the first time.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 10th June, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Agriculture have power to sit while the Senate is sitting today, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 10th June, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Perrault, P.C.:

That the name of the Honourable Senator Greene be added to the list of Senators serving on the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator McDonald:

That the name of the Honourable Senator Thompson be substituted for that of the Honourable Senator McElman, on the list of Senators serving on the Special Joint Committee on Immigration Policy as of Friday, 6th June, 1975; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion, in amendment, of the Honourable Senator Asselin, P.C., seconded by the Honourable Senator Choquette, to the motion of the Honourable Senator Goldenberg, seconded by the Honourable Senator Cottreau, for the adoption of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate, and—

The question being put on the motion, in amendment—
The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Argue	Grosart
Asselin	Haig
Bélisle	Lafond
Blois	Neiman
Choquette	O'Leary
Flynn	Phillips—13.
Fournier	
(Madawaska- Restigouche)	

NAYS

The Honourable Senators

Barrow	Goldenberg
Basha	Graham
Cameron	Greene
Carter	Hastings
Cook	Heath
Cottreau	Inman
Denis	Macnaughton
Deschatelets	McDonald
Duggan	McIlraith
Eudes	Norrie
Everett	Perrault
Fournier	Petten
(Restigouche- Gloucester)	Riley
	Robichaud—26.

So it was resolved in the negative.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the motion of the Honourable Senator Goldenberg, seconded by the Honourable Senator Cottreau, for the adoption of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code", be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-3, intituled: "An Act to amend the British North America Acts, 1867 to 1975",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-37, intituled: "An Act to provide for the control of dumping of wastes and other substances in the ocean",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-47, intituled: "An Act to amend

the Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Court of Newfoundland and Prince Edward Island",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending 31st March, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved seconded by the Honourable Senator Petten.

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1975
Canada

Journals of the Senate

No. 97

Tuesday, 10th June, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bonnell,
Bourget,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,

Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Giguère,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Hayden,
Inman,
Lafond,
Laird,

Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,

Molgat,
Molson,
Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Phillips,
Prowse,
Riley,
Rowe,
van Roggen,
Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, June 5, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Brewin, Joyal and Caccia have been substituted for those of Mr. Gilbert, Miss Bégin and Mr. Landers on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, June 5, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Kaplan has been substituted for that of Mr. Caccia on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, June 9, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Miss Bégin has been substituted for that of Mr. Joyal on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill C-32, intituled: "An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Cana-

dian crude oil and natural gas in interprovincial and export trade",

And to acquaint the Senate that the Commons have agreed to the amendments made by the Senate to this Bill, without amendment.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Final Report of the Tax Measures Review Committee, dated June 1975, entitled: "Corporate Tax Measures Review", presented by the Minister of Finance.

Copies of correspondence between officials of the Government of Canada and the Government of Manitoba relating to the Nelson River Transmission System.

Report of operations under the *Crop Insurance Act* for the fiscal year ended March 31, 1974, pursuant to section 13 of the said Act, Chapter C-36, R.S.C., 1970.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-27, intituled: "An Act to amend the Canadian Overseas Telecommunication Corporation Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 12th June, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting tomorrow, Wednesday, 11th June, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C.:

That the name of the Honourable Senator Macdonald be substituted for that of the Honourable Senator Welch on the list of Senators serving on the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Phillips resumed the debate on the motion of the Honourable Senator Goldenberg, seconded by the Honourable Senator Côtteau, for the adoption of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate,

The Honourable Senator Prowse moved, seconded by the Honourable Senator van Roggen, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-26, intituled: "An Act respecting Alliance Security & Investigation, Ltd.",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-3, intituled: "An Act to amend the British North America Acts, 1867 to 1975",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Denis, P.C., that the Bill C-37, intituled: "An Act to provide for the control of dumping of wastes and other substances in the ocean", be read the second time.

After debate,

The Honourable Senator Bélisle moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Laird moved, seconded by the Honourable Senator Carter, that the Bill C-47, intituled: "An Act to amend the Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island", be read the second time.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

After debate,

The Honourable Senator Prowse moved, seconded by the Honourable Senator Goldenberg, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending 31st March, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until Wednesday, 25th June, 1975.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Wednesday, 25th June, 1975.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 98

Wednesday, 11th June, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Carter,
Choquette,
Connolly,
(Ottawa West),
Cook,

Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Giguère,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Hicks,
Inman,

Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,

Michaud,
Molgat,
Molson,
Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Phillips,
Prowse,
Riley,
Robichaud,
Rowe,
van Roggen,
Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, June 10, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Prud'homme has been substituted for that of Mr. Lachance on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, June 10, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Ritchie has been substituted for that of Mr. Fraser on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the name of the Honourable Senator Inman be added to the list of Senators serving on the Special Senate Committee on the Clerestory of the Senate Chamber.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Argue:

That the Standing Senate Committee on Agriculture have power to sit while the Senate is sitting tomorrow, Thursday, 12th June, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the name of the Honourable Senator Phillips be substituted for that of the Honourable Senator Walker on the list of Senators serving on the Standing Joint Committee on Regulations and other Statutory Instruments; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the name of the Honourable Senator Phillips be substituted for that of the Honourable Senator Quart on the list of Senators serving on the Special Joint Committee on Employer-Employee Relations in the Public Service; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Bonnell resumed the debate on the motion of the Honourable Senator Goldenberg, seconded by the Honourable Senator Côtteau, for the adoption of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate, and

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Honourable Senator Neiman moved, seconded by the Honourable Senator Rowe, that the Bill be placed on the Orders of the Day for a third reading on Tuesday next, 17th June, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Macnaughton, P.C., seconded by the Honourable Senator Denis, P.C., for the second reading of the Bill C-37, intituled: "An Act to provide for the control of dumping of wastes and other substances in the ocean".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Carter, for the second reading of the Bill C-47, intituled: "An Act to amend the Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Laird moved, seconded by the Honourable Senator Carter, that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the Bill S-26, intituled: "An Act respecting Alliance Security & Investigation, Ltd.", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the Bill be re-

ferred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill C-3, intituled: "An Act to amend the British North America Acts, 1867 to 1975", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Grosart resumed the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending the 31st March, 1976.

After debate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date

to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Macnaughton, P.C., for the Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-24, intituled: "An Act to incorporate the National Commercial Bank of Canada", reported that it had examined the said Bill and had directed him to report the same to the Senate with four amendments.

The amendments were then read by the Clerk Assistant, as follows:

1. *Page 1*: Strike out lines 26 to 28, inclusive, and substitute the following:

"of Canadian Commercial and Industrial Bank and the French name of Banque Commerciale et Industrielle du Canada, hereinafter called"

2. *Page 2*: Strike out the name "National Commercial Bank of Canada" where it appears in clause 5 and substitute the following:

"Canadian Commercial and Industrial Bank"

3. *Page 2*: Strike out the name "Banque Nationale de Commerce du Canada" where it appears in clause 5 and substitute therefor the following:

"Banque Commerciale et Industrielle du Canada"

4. *In the title*: Strike out the words "National Commercial Bank of Canada" and substitute therefor the words:

"Canadian Commercial and Industrial Bank"

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 99

Thursday, 12th June, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bourget,
Buckwold,
Carter,
Choquette,
Connolly,
(Ottawa West),

Cook,
Cottreau,
Davey,
Denis,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Giguère,
Goldenberg,
Greene,
Grosart,
Haig,
Hastings,
Hayden,
Hicks,
Inman,

Lafond,
Laird,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,

Molgat,
Molson,
Neiman,
Norrie,
Perrault,
Petten,
Phillips,
Prowse,
Riley,
Rowe,
Stanbury,
van Roggen,
Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:

WEDNESDAY, June 11, 1975

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Stollery has been substituted for that of Miss Nicholson on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:

WEDNESDAY, June 11, 1975

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Haidasz has been substituted for that of Mr. Kaplan on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Order in Council P.C. 1975-342, dated February 20, 1975, amending a direction to the Canadian Radio-Television Commission concerning foreign ownership, pursuant to section 27(2) of the *Broadcasting Act*, Chapter B-11, R.S.C., 1970.

With leave of the Senate,
The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the name of the Honourable Senator Phillips be substituted for that of the Honourable Senator Choquette on the list of Senators serving on the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the names of the Honourable Senators Fournier (*Madawaska-Restigouche*) and Welch be substituted for

those of the Honourable Senators Beaubien and Macdonald on the list of Senators serving on the Standing Joint Committee on the Printing of Parliament; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the name of the Honourable Senator Prowse be substituted for that of the Honourable Senator Thompson on the list of Senators serving on the Special Joint Committee on Immigration Policy; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator van Roggen:

That the Standing Senate Committee on Foreign Affairs have power to sit while the Senate is sitting on Wednesday, 25th June, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 17th June, 1975, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McIlraith, P.C., seconded by the Honourable Senator Lamontagne, P.C., for the second reading of the Bill C-3, intituled: "An Act to amend the British North America Acts, 1867 to 1975".

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Connolly, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill S-27, intituled: "An Act to amend the Canadian Overseas Telecommunication Corporation Act", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill S-24, intituled: "An Act to incorporate the National Commercial Bank of Canada".

The Honourable Senator Laird moved, seconded by the Honourable Senator Langlois, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the

second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending 31st March, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 100

Tuesday, 17th June, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Benidickson,
Blois,
Bonnell,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,

Choquette,
Connolly
(Ottawa West),
Cook,
Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Everett,
Flynn,
Forsey,

Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Giguère,
Goldenberg,
Graham,
Grosart,
Haig,
Hayden,
Heath,
Hicks,

Inman,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,
Macdonald,
Macnaughton,
McElman,
McGrand,
McIlraith,
McNamara,

Molgat,
Molson,
Neiman,
Norrie,
Perrault,
Phillips,
Riley,
Robichaud,
Sparrow,
Sullivan,
Thompson,
Walker,
Welch.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, June 12, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Clermont has been substituted for that of Mr. Isabelle on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, June 13, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Guay (*St. Boniface*) has been substituted for that of Mr. Haidasz on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, June 13, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Miss Nicholson and Mr. Stollery have been substituted for those of Mr. Stollery and Miss Bégin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-16, intituled: "An Act to amend certain statutes to provide equality of status thereunder for male and female persons", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 19th June, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-24, intituled: "An Act to amend the Salaries Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Statement on operations under *The Returned Soldiers' Insurance Act* for the fiscal year ended March 31, 1975, pursuant to section 17(2) of the said Act, Chapter 59, Statutes of Canada, 1951.

Copies of Statement on operations under the *Veterans Insurance Act* for the fiscal year ended March 31, 1975, pursuant to section 18(2) of the said Act, Chapter V-3, R.S.C., 1970.

National Capital Fund Budget of the National Capital Commission for the fiscal year ended March 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-1300, dated June 5, 1975, approving same.

Report of the President of the National Research Council of Canada for the fiscal year ended March 31, 1975, pursuant to section 16 of the *National Research Council Act*, Chapter N-14, R.S.C., 1970.

Capital Budget of the Canadian Broadcasting Corporation for the fiscal year ended March 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-960, dated April 25, 1975, approving same.

Documents entitled "Transportation Policy—A Framework for Transport in Canada, Summary Report", "An Interim Report on Freight Transportation in Canada" and "An Interim Report on Inter-City Passenger Move-

ment in Canada", issued by the Department of Transport and dated June 1975.

Report of the President of the Medical Research Council, including accounts and financial statement certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 17 of the *Medical Research Council Act*, Chapter M-9, R.S.C., 1970.

Report of the Textile and Clothing Board, dated May 14, 1975, on an inquiry respecting men's and boys' suits, jackets, coordinates and pants.

Copies of an amendment, dated June 13, 1975, to By-law No. 1 of the Export Development Corporation, pursuant to section 16(3) of the *Export Development Act*, Chapter E-18, R.S.C., 1970.

Copies of Press Communiqué, dated June 11, 1975, of the Interim Committee of the Board of Governors on the International Monetary System, which met in Paris, June 10 and 11, 1975.

Copies of Press Communiqué, dated June 13, 1975, of the Development Committee of the International Bank for Reconstruction and Development and the International Monetary Fund, which met in Paris, June 12 and 13, 1975.

Report to Parliament of the Auditors on the accounts of the Canadian National Railway System for the year ended December 31, 1974, pursuant to section 40 of the *Canadian National Railways Act*, Chapter C-10, R.S.C., 1970.

The Honourable Senator Goldenberg, from the Standing Senate Committee on Legal and Constitutional Affairs, to which was referred the Bill C-47, intituled: "An Act to amend the Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island", reported that it had examined the said Bill and had directed him to report the same to the Senate, without amendment.

The Honourable Senator Laird moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Neiman moved, seconded by the Honourable Senator Norrie, that the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code", be read the third time.

In amendment, the Honourable Senator Goldenberg moved, seconded by the Honourable Senator Laird, that the Bill be not now read the third time but that it be

amended by adding thereto, immediately after section 1 thereof, the following:

"1.1 Section 32 of the said Act is repealed and the following substituted therefor:

"32. This Act does not apply to any packaged food, drug (other than a drug or other substance defined as a controlled drug by Part III, as a restricted drug by Part IV or as cannabis by Part V), cosmetic or device, not manufactured for consumption in Canada and not sold for consumption in Canada, if the package is marked in distinct overprinting with the word "Export", and a certificate that the package and its contents do not contravene any known requirement of the law of the country to which it is or is about to be consigned, has been issued in respect thereof in prescribed form and manner."

After debate,

The Honourable Senator Croll moved, seconded by the Honourable Senator Benidickson, P.C., that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the third reading of the Bill C-3, intituled: "An Act to amend the British North America Acts, 1867 to 1975",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill S-27, intituled: "An Act to amend the Canadian Overseas Telecommunication Corporation Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to

amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending 31st March, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Lamontagne, P.C., called the attention of the Senate to the state of the Canadian economy.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1975
Canada

Journals of the Senate

No. 101

Wednesday, 18th June, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,

Choquette,
Connolly
 (*Ottawa West*),
Cook,
Cottreau,
Croll,
Denis,
Deschatelets,
Eudes,
Everett,
Flynn,
Forsey,

Fournier
 (*de Lanaudière*),
Fournier
 (*Restigouche-
 Gloucester*),
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hayden,
Heath,

Hicks,
Inman,
Lafond,
Laird,
Langlois,
Lapointe,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,

Molgat,
Molson,
Neiman,
Norrie,
Perrault,
Phillips,
Riley,
Robichaud,
Sparrow,
Sullivan,
Thompson,
Walker,
Welch.

PRAYERS.

The Honourable Senator Hayden, from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-26, intituled: "An Act respecting Alliance Security & Investigation, Ltd.", reported that it had examined the said Bill and had directed him to report the same to the Senate, without amendment.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion, in amendment, of the Honourable Senator Goldenberg, seconded by the Honourable Senator Laird, to the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, for the third reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code".

After debate, and—

The question being put on the motion, in amendment, it was—

Resolved in the affirmative.

After debate,

In amendment, the Honourable Senator Heath moved, seconded by the Honourable Senator Phillips, that the motion for the third reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code", be amended by striking out the word "now" and by adding the words "this day six months", at the end of the question.

After debate, and—

The question being put on the motion, in amendment,

The Senate divided the names being called they were taken down as follows:

YEAS

The Honourable Senators

Beaubien	Heath
Bélisle	Macdonald
Choquette	Phillips
Denis	Sullivan
Flynn	Walker
Grosart	Welch—13.
Haig	

NAYS

The Honourable Senators

Argue	Bonnell
Asselin	Bourget

The Honourable Senators

Buckwold	Greene
Burchill	Hicks
Carter	Inman
Connolly	Lafond
(Ottawa West)	Laird
Cook	Langlois
Cottreau	Macnaughton
Croll	McDonald
Deschatelets	McElman
Eudes	McGrand
Forsey	McIlraith
Fournier	McNamara
(de Lanaudière)	Molgat
Fournier	Molson
(Restigouche-	Neiman
Gloucester)	Norrie
Goldenberg	Perrault
Graham	Riley—36.

So it was resolved in the negative.

The question being put on the motion of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, for the third reading of the Bill S-19, intituled: "An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code", it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Laird moved, seconded by the Honourable Senator Carter, that the Bill C-47, intituled: "An Act to amend the Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill S-27, intituled: "An Act to amend the Canadian Overseas Telecommunication Corporation Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Connolly, P.C., that the Bill C-3, intituled: "An Act to amend the British North America Acts, 1867 to 1975", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Cook, that the Bill C-24, intituled: "An Act to amend the Salaries Act", be read the second time.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An

Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Lamontagne, P.C., calling the attention of the Senate to the state of the Canadian economy.

After debate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Buckwold, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Perrault, P.C., resumed the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Cameron, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending the 31st March, 1976.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 102

Thursday, 19th June, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cameron,	Flynn,	Haig,	McGrand,
Asselin,	Carter,	Forsey,	Hayden,	McIlraith,
Barrow,	Choquette,	Fournier	Heath,	McNamara,
Basha,	Connolly	(<i>de Lanaudière</i>),	Inman,	Molgat,
Beaubien,	(<i>Ottawa West</i>),	Fournier	Lafond,	Molson,
Bélisle,	Cook,	(<i>Restigouche-</i>	Laird,	Norrie,
Benidickson,	Cottreau,	<i>Gloucester</i>),	Lamontagne,	Paterson,
Blois,	Croll,	Giguère,	Langlois,	Perrault,
Bonnell,	Davey,	Goldenberg,	Lapointe,	Phillips,
Bourget,	Denis,	Graham,	Macdonald,	Riley,
Buckwold,	Deschatelets,	Greene,	McDonald,	Robichaud,
Burchill,	Eudes,	Grosart,	McElman,	Sparrow,
				Walker.

PRAYERS.

Statement by the Honourable the Speaker.

Re: The Budget Speech—Accommodation for Senators in the Senate Gallery of the House of Commons.

"Honourable Senators, as previously announced, the Minister of Finance will deliver his Budget Speech in the other place on Monday, June 23rd, at eight o'clock in the evening.

May I be permitted to remind the Honourable Senators that none but Senators will be admitted to the Senate Gallery of the House of Commons on that occasion. This step is being taken for the purpose of providing accommodation in the Gallery for as many Senators as possible. In this manner, Senators will not be excluded from the Gallery on account of many of the places being occupied by relatives and friends of Senators.

May I add that such instructions were first issued in 1931 by the then Speaker of the Senate, the Honourable P. E. Blondin, and that this practice has been followed ever since by succeeding Speakers".

RENAUDE LAPOINTE,
Speaker of the Senate.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, June 18, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Orlikow has been substituted for that of Mr. Brewin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, June 18, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Fraser has been substituted for that of Mr. Ritchie on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the communication do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-62, intituled: "An Act to amend the Old Age Security Act, to repeal the Old Age Assistance Act and to amend other Acts in consequence thereof", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Wednesday next, 25th June, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE
OTTAWA

JUNE 19, 1975.

Madam,

I have the honour to inform you that the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 19th day of June at 5.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,

ANDRÉ GARNEAU
Brigadier General
Administrative Secretary to the Governor General

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, June 19, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Special Senate Committee on Science Policy for the proposed expenditures of the said Committee on Science Policy respecting the holding of a Special Meeting to determine the feasibility of establishing a Com-

mission on the Future as authorized by the Senate on the 21st November 1974. The said supplementary budget is as follows:

Professional and Other Services	\$6,225
All Other Expenditures	500
	<hr/>
	\$6,725

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, June 19, 1975.

The Standing Committee in Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Standing Senate Committee on National Finance for the proposed expenditures of the said Committee on National Finance with regard to its examination and consideration of such legislation and other matters as may be referred to it, authorized by the Senate on the 5th December, 1974. The said supplementary budget is as follows:

Professional and Special Services	\$ 7,720
Information-Printing	40,000
	<hr/>
	\$47,720

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, June 19, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Joint Chairman of the Special Joint Committee of the Senate and House of Commons on Employer-Employee Relations in the Public Service for the proposed expenditures of the said Special Joint Committee with regard to its consideration and recommendations upon Parts I, II and III of the paper entitled "Employer-Employee Relations in the Public Service of Canada", prepared by the Chairman of the Public Service Staff Relations Board, authorized by the Senate on the 14th November, 1974. The said supplementary budget is as follows:

Professional and Special Services	\$ 8,650
Transportation and Communications	3,810
	<hr/>
	\$12,460

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill C-37, intituled: "An Act to provide for the control of dumping of wastes and other substances in the ocean", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, that a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture to which was referred the Bill C-19, intituled: "An Act to provide for payments in respect of wheat produced and sold in Canada for human consumption in Canada", presented the following Report:—

THURSDAY, June 19, 1975.

The Standing Senate Committee on Agriculture to which was referred Bill C-19, intituled "An Act to provide for payments in respect of wheat produced and sold in Canada for human consumption in Canada" has, in obedience to the order of reference of Wednesday, May 21, 1975, examined the said Bill and now reports the same without amendment.

However, your Committee is concerned that the real value of the floor price established on September 11, 1973, when the two-price wheat policy was implemented, has been diminished by the considerable increases in the costs of producing wheat and that it is no longer a fair and reasonable price for wheat produced and sold in Canada for human consumption in Canada.

Your Committee therefore recommends that, immediately upon the coming into force of the Act, the Minister undertake a review of the two-price wheat policy in accordance with subsection 5(3) of the Act. Subsection 5(3) reads as follows:

"5(3) The Minister shall, on an annual basis and in consultation with the producers, review the provisions of this Act and all related regulations enacted by the Governor in Council with a view to making such recommendations to the Governor in Council as are appropriate in the light of prevailing costs of production of wheat and returns to producers."

Respectfully submitted.

HAZEN ARGUE,
Chairman.

With leave of the Senate,

The Honourable Senator Argue moved, seconded by the Honourable Senator McNamara, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Wednesday next, 25th June, 1975, at two o'clock in the afternoon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Carter:

That the names of the Honourable Senators Bonnell and Norrie be substituted for those of the Honourable Senators Prowse and Williams on the list of Senators serving on the Special Joint Committee on Immigration Policy as of Monday, 23rd June, 1975; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the names of the Honourable Senators Fournier (*Madawaska-Restigouche*) and Phillips be substituted for those of the Honourable Senators Macdonald and Quart on the list of Senators serving on the Standing Joint Committee on the Library of Parliament; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the Bill S-26, intituled: "An

Act respecting Alliance Security & Investigation, Ltd." be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Cook, for the second reading of the Bill C-24, intituled: "An Act to amend the Salaries Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called for the second reading of the Bill C-16, intituled: "An Act to amend certain statutes to provide equality of status thereunder for male and female persons",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator

Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Lamontagne, P.C., calling the attention of the Senate to the state of the Canadian economy,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 3.25 p.m.

The sitting of the Senate was resumed. 5.40 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Right Honourable the Deputy of His Excellency the Governor General, it was,—

Resolved in the affirmative.

After awhile, the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Right Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to impose a charge on the export of crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade

An Act to amend the Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island

An Act to establish the Canadian Radio-television and Telecommunications Commission, to amend the Broadcasting Act and other Acts in consequence thereof and to enact other consequential provisions

An Act respecting the export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states

An Act to amend the Northern Canada Power Commission Act

An Act to amend the Territorial Lands Act

An Act to amend the British North America Acts, 1867 to 1975

An Act to provide for payments in respect of wheat produced and sold in Canada for human consumption in Canada

An Act to provide for the control of dumping of wastes and other substances in the ocean

An Act to amend the Salaries Act.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Right Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Right Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Carter moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1975
Canada

Journals of the Senate

No. 103

Wednesday, 25th June, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Forsey,	Lang,	Molgat,
Barrow,	Connolly	Goldenberg,	Langlois,	Molson,
Basha,	(Ottawa West),	Greene,	Lapointe,	Paterson,
Beaubien,	Cook,	Grosart,	Lawson,	Perrault,
Bélisle,	Cottreau,	Hayden,	Lefrançois,	Phillips,
Benidickson,	Croll,	Hays,	Macdonald,	Robichaud,
Blois,	Davey,	Hicks,	Manning,	Rowe,
Bourget,	Denis,	Inman,	McDonald,	Sparrow,
Burchill,	Desruisseaux,	Lafond,	McGrand,	van Roggen,
Cameron,	Eudes,	Laird,	McIlraith,	Walker,
Carter,	Flynn,	Lamontagne,	McNamara,	Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, June 20, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Miss Bégin and Messrs. Stollery and Landers have been substituted for those of Messrs. Stollery, Guay (*St. Boniface*) and Rompkey on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, June 23, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Gilbert has been substituted for that of Mr. Orlikow on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

Messages were brought from the House of Commons by their Clerk to return the following Bills,

And to acquaint the Senate that the Commons have passed these Bills, without amendment:

Bill S-15, intituled: "An Act to amend the Department of Industry, Trade and Commerce Act"

Bill S-17, intituled: "An Act to amend the Explosives Act".

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, June 23, 1975.

Resolved,—That a Special Joint Committee of the Senate and House of Commons be appointed to review and report upon matters bearing upon the development of the National Capital Region, including the programs and operations of the National Capital Commission;

That 15 Members of the House of Commons to be designated by the House at a later date be the members

on the part of this House of the Special Joint Committee;

That the said Committee have the power to send for persons, papers and records and examine witnesses; to sit during sittings and adjournments of the House; to report from time to time; to print such papers and evidence from day to day as may be deemed advisable; to delegate to sub-committees all or any of their powers except the power to report directly to the House; and to adjourn from place to place within Canada; and

Ordered,—That a Message be sent to the Senate requesting that House to unite with this House for the above purpose, and to select, if the Senate deems it advisable, some of its Members to act on the proposed Special Joint Committee.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Message be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-64, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be placed on the Orders of the Day for a second reading on Friday next, 27th June, 1975.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report entitled "Africa-Canada Relations" issued by the Secretary of State for External Affairs following his tour of West Africa, April 13 to 26, 1975.

Budget Papers, dated June 23, 1975, as follows:—

- (1) Notice of Ways and Means Motion to amend the Income Tax Act.
- (2) Notice of Ways and Means Motion to amend Chapter 26 of the Statutes of Canada, 1974-75.

- (3) Notice of Ways and Means Motion to amend the Excise Tax Act.
- (4) Notice of Ways and Means Motion to amend the Customs Tariff.
- (5) Supplementary information on labour costs (Tables 1 and 2).
- (6) Discussion Paper on Federal Sales and Excise Taxation.
- (7) Discussion Paper on Tax Treatment of Charities.
- (8) Statement of Financial Transactions for 1974-75.

Report of operations under the *Civil Service Insurance Act* for the fiscal year ended March 31, 1975, pursuant to section 21(2) of the said Act, Chapter 49, R.S.C., 1952.

The Honourable Senator Bourget, P.C., Deputy Chairman, from the Standing Senate Committee on Transport and Communications, which was authorized to examine and report upon the matter of the program entitled "Les beaux dimanches", televised on 28th April, 1974, on the French Network of the Canadian Broadcasting Corporation, tabled the Report of the said Committee on the said program.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 435-437).

The Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Langlois, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Forsey from the Standing Joint Committee on Regulations and other Statutory Instruments presented its Fifth Report as follows:—

THURSDAY, June 12, 1975.

The Standing Joint Committee on Regulations and other Statutory Instruments has the Honour to present its Fifth Report as follows:

Your Committee proposes to continue its review and scrutiny of statutory instruments during the adjournment of Parliament in the summer of 1975.

Your Committee therefore recommends, notwithstanding an Order of the Senate of Tuesday, October 29, 1974, respecting the quorum of the Committee, that the Joint Chairmen be authorized to hold meetings during the forthcoming summer recess to receive and authorize the

printing of evidence when three members of the Committee are present, provided both Houses are represented.

Respectfully submitted,

EUGENE A. FORSEY,
Joint Chairman.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Lafond, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Bill C-62, intituled: "An Act to amend the Old Age Security Act, to repeal the Old Age Assistance Act and to amend other Acts in consequence thereof", be read the second time.

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Hays, P.C., that the Bill C-16, intituled: "An Act to amend certain statutes to provide equality of status thereunder for male and female persons", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Lamontagne, P.C., calling the attention of the Senate to the state of the Canadian economy,

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eight o'clock p.m., it was—

Resolved in the affirmative, on division. 3.55 p.m.

The sitting of the Senate resumed.

8.00 p.m.

A point of order having been raised by the Honourable Senator Flynn, P.C., as to the regularity of the Senate sitting this evening, the Honourable the Speaker ruled as follows:—

Honourable Senators:

I have listened with great interest to the remarks of Honourable Senators on the point of order raised by the Honourable Senator Flynn, P.C. I would like to repeat what I said a few minutes ago regarding the nature of the adjournment this afternoon. This afternoon's adjournment was an adjournment during pleasure which does not require unanimous consent; a majority vote being sufficient. When I asked before the adjournment "Is it your pleasure, Honourable Senators, that the Senate do now adjourn during pleasure", the Leader of the Opposition said "on division", thereby acknowledging that unanimous consent was not required. There are many precedents in this regard. This afternoon's adjournment was not a regular adjournment and rule 45, in my opinion, does not apply. It was merely an adjournment during pleasure. Therefore, I rule that the point of order is not well taken and that this evening's sitting is not irregular.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Desruisseaux resumed the debate on the inquiry of the Honourable Senator Lamontagne, P.C., calling the attention of the Senate to the state of the Canadian economy.

After debate,

The Honourable Senator McDonald moved, seconded by the Honourable Senator Langlois, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 433)

WEDNESDAY, June 18, 1975.

Pursuant to the Senate order of reference, dated October 31, 1974, the Standing Senate Committee on Transport and Communications reviewed the program entitled: "UN SHOW QUI M'TENTE AVEC DU MONDE QUE J'AIME" which was part of the television series entitled: "Les Beaux Dimanches", broadcast on April 28, 1974, on the French network of the Canadian Broadcasting Corporation.

Order of reference:

"Extract from the Minutes of the Proceedings of the Senate, October 31, 1974:

The Honourable Senator Langlois moved, seconded by the Honourable Senator Denis, P.C.:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report upon the matter of the program entitled "Les beaux dimanches", televised on 28th April, 1974, on the French network of the Canadian Broadcasting Corporation.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

ROBERT FORTIER,
Clerk of the Senate."

As it appears in the Debates of the Senate of October 31, 1974, the purpose of the motion concerning the order of reference was to use this program to allow for a review of the Canadian Broadcasting Corporation programming by the Committee, as far as the achievement of the goals aimed at by the *Broadcasting Act* is concerned.

Your Committee held two study sessions on the review of the said program, on November 28, 1974 and February 19, 1975. At the first sitting, Mr. Laurent Picard, President of the Canadian Broadcasting Corporation and Mr. Raymond David, Vice-President and General Manager, French Services Division were heard as witnesses. Also present at that sitting but not heard were: Mr. Ron C. Fraser, Vice-President, Corporate Affairs, Assistant to the President; Mr. Don MacPherson, Vice-President and General Manager, English Services Division; Mr. Pierre Desroches, Vice-President, Planning; Mr. Denis Harvey, Deputy Assistant General Manager, English Services Division; Mr. Jean-Marie Dugas, Director of French Television; Mr. Marc Thibault, Director of Information Programs, French Services Division; Mr. Jacques Alleyn, General Counsel.

During this sitting a videotape of the program was shown and a simultaneous translation of the sound track was provided for the benefit of the English-speaking senators.

Evidence given by the witnesses from the Canadian Broadcasting Corporation revealed that the text of the program had been written by five authors. It was disclosed that the text of the program had not been submitted to either the programming branch or the officers of the Corporation for prior approval. The only evaluation made was by the Chief of the Variety Section of the Corporation. No evidence whatsoever was given that the Corporation had exercised any kind of control over the quality of the programming, despite the existence of a booklet entitled "Program Policy" prepared with the approval of the Board of Directors for the guidance of producers, journalists and senior officers. At the request of the members of the Committee, the President of the Corporation made this booklet available to the Committee.

Opinions were expressed by members of the Committee that the program was in very bad taste, that the text contained several vulgar, offensive and ambiguous expressions and that the program was aimed at ridiculing the constitutional authority of the country. Further, it appeared that the program was aimed at destroying national unity by attempting to demonstrate alleged inequality of treatment between the diverse ethnic groups of the country. In reply, the witnesses from the Canadian Broadcasting Corporation said that it was simply a satire that could lead to several interpretations but was altogether acceptable if judged in accordance with criteria established in other countries, namely in Great Britain and France. The witnesses were reminded that the program had rather to be judged by taking into account the political context of Quebec, and that, in this context, the text according to some senators contained a separatist message.

The Canadian Broadcasting Corporation officers questioned the comments of some senators to the effect that the program contained a message in favour of separatism. However, it is well known that in several instances the producers or commentators of the Canadian Broadcasting Corporation take undue advantage of their functions to propagate separatist ideas. Such an attitude has been denounced a number of times. For example, on April 1st, 1975, Mr. Claude Ryan, in an editorial in the newspaper *LE DEVOIR* from Montreal, referred to the attitude of the Canadian Broadcasting Corporation employees in the following terms:—

(Translation)

"In other fields, namely in the broadcasting field, Ottawa has accustomed us for a long time to an entirely different approach; the Canadian Broadcasting Corporation, in particular, is an agency which comes under the authority of the central government. Yet separatism has not found in any other place as in the Canadian Broadcasting Corporation a better means of expressing itself as freely. Quite often—without anybody from *Le Jour* having expressed their astonishment about it—

the impression has been created that the protagonists of this idea were more solidly entrenched in the Canadian Broadcasting Corporation than its opponents. Numerous critics, scandalized by this fact, have, on several occasions, questioned if it is a normal situation that federal funds that support the Canadian Broadcasting Corporation could thus be used to destroy Confederation."

At the Committee sitting on February 19, 1975, the only witness heard was Mr. Pierre Juneau, Chairman of the Canadian Radio-Television Commission.

Questioned with respect to section 3 of the *Broadcasting Act*, which sets out the broadcasting policy for Canada, and section 16 of the Act, which describes the powers of the Commission, Mr. Juneau answered that the Commission, in a general manner, was vested with a regulating and supervisory power. He added that there seems to be in section 3 an insistence on the part of the legislator to make the licence owners and not the Canadian Radio-Television Commission bear the responsibility for individual programs—subject only to generally applicable statutes and regulations.

Mr. Juneau also mentioned Canadian Radio-Television Commission Regulation no. 5 which prohibits a station or a licence carrier from broadcasting:

- (a) anything contrary to law;
- (b) any abusive comment on any race, religion or creed;
- (c) any obscene, indecent or profane language;
- (d) any false or misleading news with the knowledge that it is false or misleading.

With respect to infringements of the Regulations and related penalties, Mr. Juneau stated that as a first step legal action must be taken following any breach of the Regulations. It is thus the courts that have the responsibility of determining the penalty. He added that when the Commission finds that the regulations have not been followed, the Commission notifies the station concerned, and if there is evidence of negligence or ill-will, it brings the matter before the courts.

To a question pertaining to subparagraph (b) of section 3 of the Act, Mr. Juneau answered: "I think that the intent of the Act was not that the Canadian Radio-Television Commission express a judgment on each of the radio and television programs in Canada." Later on, Mr. Juneau added that it would be contrary to the intent of the Act if a public or private network were to have a general editorial policy aimed at the destruction of national unity. He also stated, in response to a question, that, in his opinion, the best way to prevent abuses in the future, would be for the public to inform the Canadian Radio-Television Commission and Canadian Broadcasting Corporation authorities of its disapproval.

Referring to the matter of Canadian Radio-Television Commission intervention, a member of the Committee asked the following question: "It has been suggested

that over a long period of time there is an editorial thread that runs through the programming, particularly in Quebec, with the French network, that leans towards separatism. Where there is such a thread, are you dependent upon public complaint, or do you have any mechanism that monitors to check whether a particular station, a network, or any element of the broadcast media coming within your purview, is developing a trend of editorial approach that is contrary to the mandate for national unity?" In brief, Mr. Juneau answered in the following manner: "There is no such mechanism. We do not provide systematic supervision, if we mean by that that we would have to determine, through meticulous calculations, if not mathematical, whether there is an imbalance, whether greater importance is given to certain views to the detriment of diverging opinions." He added: "I do not mean by that that we should not do it".

Following this answer by Mr. Juneau, it was pointed out to him, that under the mandate of the Canadian Radio-Television Commission, it was the Commission's duty to provide a certain degree of supervision, especially when national unity is at stake and that in such a case, it would be appropriate to set up a permanent mechanism to fill this gap.

It is clearly evident from Mr. Juneau's statement that the Canadian Radio-Television Commission does not exercise any direct supervision with respect to the quality of Canadian Broadcasting Corporation or private station programs, insofar as the objectives set out in the *Broadcasting Act* and regulations are concerned. Moreover, Mr. Juneau admitted that the Canadian Radio-Television Commission was not equipped to supervise programs, and acts only after having received a complaint. It would appear that the Canadian Radio-Television Commission is thus restricting its supervisory function, by interpreting too narrowly paragraph (c) of section 3 of the *Broadcasting Act* which states that:

"(c) all persons licensed to carry on broadcasting undertakings have a responsibility for programs they broadcast but the right to freedom of expression and the right of persons to receive programs, subject only to generally applicable statutes and regulations, is unquestioned;"

Such an interpretation of the above paragraph is characterized by Mr. Juneau's opinion when he adds:

"The Act clearly states that in those areas there must be freedom of speech and, when established, freedom of speech inevitably implies abuses."

With regard to this attitude of the Canadian Radio-Television Commission it is well to note the following objectives listed in section 3 of the *Broadcasting Act* which provides for a broadcasting policy for Canada:

"It is hereby declared that:—

- (a) broadcasting undertakings in Canada make use of radio frequencies that are public property and

such undertakings constitute a single system, herein referred to as the Canadian Broadcasting system, comprising public and private elements;

(b) The Canadian broadcasting system should be effectively owned and controlled by Canadians so as to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada;

(c) all persons licensed to carry on broadcasting undertakings have a responsibility for programs they broadcast but the right to freedom of expression and the right of persons to receive programs, subject only to generally applicable statutes and regulations, is unquestioned;

(d) the programming provided by the Canadian Broadcasting system should be varied and comprehensive and should provide reasonable, balanced opportunity for the expression of differing views on matters of public concern, and the programming provided by each broadcaster should be of high standard, using predominantly Canadian creative and other resources;

(g) (iv) the national broadcasting service should contribute to the development of national unity and provide for a continuing expression of Canadian identity;

(j) the regulation and supervision of the Canadian broadcasting system should be flexible and readily adaptable to scientific and technical advances;

and that the objectives of the broadcasting policy for Canada enunciated in this section can best be achieved by providing for the regulation and supervision of the Canadian broadcasting system by a single independent public authority."

The Canadian Radio-Television Commission was established by Part II of the *Broadcasting Act* and section 15 of the Act determines the objects of the Commission, which are to regulate and supervise all aspects of the Canadian Broadcasting system with a view to implementing the broadcasting policy enunciated in section 3 of the Act. Part III of the Act provides for the establishment of the Canadian Broadcasting Corporation. Section 39 sets out the objects and powers of the Corporation and subsection (1) states clearly that the Corporation was established "for the purpose of providing the national broadcasting service contemplated by section 3 of the Act." Subsection 39(3) states that the Corporation is bound by Parts I and II of the Act.

The Canadian Broadcasting Corporation is absolutely bound to meet the objectives set out in section 3 of the *Broadcasting Act* for the implementation of the broadcasting policy of Canada.

CONCLUSIONS

1) The Committee does not wish to pose as a censoring body of the Canadian Broadcasting Corporation programming. But, although the program under study may not contain sufficient elements to warrant a severe criticism of the Canadian Broadcasting Corporation programming in general, this program belongs to a class that the Corporation should avoid presenting to the Canadian public. However, the Committee was justified in availing itself of this opportunity to review the programming of the Corporation and the control exercised by the Canadian Radio-Television Commission with a view to meeting the objectives set out by the *Broadcasting Act*.

2) The Committee wishes to point out to all those responsible for the administration of the *Broadcasting Act* that the Canadian Broadcasting Corporation is, under Section 39 of the Act, particularly responsible for providing the national broadcasting service contemplated in Section 3, which includes the obligation to "*contribute to the development of national unity and provide for a continuing expression of Canadian identity.*" This obligation is not imposed on private stations. The Canadian Broadcasting Corporation must not be placed on the same footing as the owners of stations in the private sector relative to this particular obligation, as the Canadian Broadcasting Corporation and the Canadian Radio-Television Commission seem to believe.

3) Considering the evidence obtained, the statutes and other texts studied, the Committee believes that neither the Canadian Broadcasting Corporation nor the Canadian Radio-Television Commission is meeting entirely the objectives sought by the *Broadcasting Act*. It is imperative that these shortcomings be brought to the attention of the Ministers responsible for broadcasting in Canada and for the Canadian Broadcasting Corporation respectively, as well as of the officers of the Canadian Radio-Television Commission and the Canadian Broadcasting Corporation.

Respectfully submitted,

MAURICE BOURGET,
Deputy Chairman.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 104

Thursday, 26th June, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Fournier	Laird,	Michaud,
Barrow,	Connolly	(<i>Restigouche-</i>	Lamontagne,	Molgat,
Basha,	(<i>Ottawa West</i>),	<i>Gloucester</i>),	Lang,	Perrault,
Beaubien,	Croll,	Goldenberg,	Langlois,	Phillips,
Bélisle,	Denis,	Graham,	Lapointe,	Robichaud.
Benidickson,	Desruisseaux,	Grosart,	Lawson,	Rowe,
Blois,	Eudes,	Hayden,	Lefrançois,	Sparrow,
Bourget,	Flynn,	Hays,	Macdonald,	van Roggen,
Burchill,	Forsey,	Hicks,	McDonald,	Walker,
Cameron,	Fournier	Inman,	McGrand,	Yuzyk.
Carter,	(<i>de Lanaudière</i>),	Lafond,	McNamara,	

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

First Annual Report of the Canadian Consultative Council on Multiculturalism, presented to the Minister responsible for Multiculturalism on December 14, 1974.

Report entitled "Non-Official Languages—A Study in Canadian Multiculturalism".

Copy of Proceedings of the Royal Society of Canada, 1974, together with a copy of the 1974-1975 Calendar and a copy of the Report of Council containing the financial statements of the Society for the year ended February 28, 1975, and the Auditors' report thereon, pursuant to section 9 of *An Act to incorporate the Royal Society of Canada*, Chapter 46, Statutes of Canada, 1883.

Copies of Official Note, dated June 23, 1975, forwarded to the United States State Department, outlining the Canadian position regarding the Garrison Diversion Unit.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce which was authorized to examine and report upon any bill relating to competition in Canada or to the *Combines Investigation Act*, in advance of the said bill coming before the Senate, or any matter relating thereto, tabled a Report entitled: Competition Policy: Second Interim Report of the Standing Senate Committee on Banking, Trade and Commerce.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at page 444).

Ordered, That the Bill C-64, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976", set down on the Orders of the Day for a second reading tomorrow, Friday, 27th June, 1975, be brought forward and placed on the Orders of the Day of this date.

Pursuant to the Order of the Day, the Honourable Senator Goldenberg moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill C-16, intituled: "An Act to amend certain statutes to provide equality of status thereunder for male and female persons", be read the third time.

In amendment, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be not now read the third time but

that the French version of the Bill be amended as follows:

Page 24: Strike out lines 14 to 17, inclusive, and substitute therefore the following:

"b) d'autres congés, pourvu que le total de ceux-ci et de ceux qui sont prévus à l'alinéa a) ne dépasse pas le maximum prévu aux sous-alinéas (1)d)(i) ou (ii),"

After debate, and—

The question being put on the motion, in amendment, it was—

Resolved in the affirmative.

The question being put on the motion of the Honourable Senator Goldenberg, seconded by the Honourable Senator Fournier (*de Lanaudière*), for the third reading of the Bill, as amended, it was—

Resolved in the affirmative.

The Bill as amended, was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill with one amendment to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Laird, for the second reading of the Bill C-62, intituled: "An Act to amend the Old Age Security Act, to repeal the Old Age Assistance Act and to amend other Acts in consequence thereof".

After debate, and—

The question being put on the motion, it was—

Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Carter moved, seconded by the Honourable Senator McDonald, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—

Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to

amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Lamontagne, P.C., calling the attention of the Senate to the state of the Canadian economy,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Message from the House of Commons requesting that a Special Joint Committee be appointed to review and report upon matters bearing upon the development of the National Capital Region, including the programs and operations of the National Capital Commission.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.:

That the Senate do unite with the House of Commons in the appointment of a Special Joint Committee of both Houses of Parliament to review and report upon matters bearing upon the development of the National Capital Region, including the programs and operations of the National Capital Commission;

That eight Members of the Senate, to be designated at a later date, act on behalf of the Senate as members of the said Special Joint Committee;

That the said Committee have the power to send for persons, papers and records and examine witnesses; to sit during sittings and adjournments of the Senate; to report from time to time; to print such papers and evidence from day to day as may be deemed advisable; to delegate to sub-committees all or any of their powers except the power to report directly to the Senate; and to adjourn from place to place within Canada; and

That a Message be sent to the House of Commons to inform that House accordingly.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Transport and Communications on the matter of the program entitled "Les beaux dimanches".

Debated.

The Order of the Day being called for the consideration of the Fifth Report of the Standing Joint Committee on Regulations and other Statutory Instruments,

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald, that the Bill C-64, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald, that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Order of the Day being again called for the consideration of the Fifth Report of the Standing Joint Committee on Regulations and other Statutory Instruments,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Tuesday, 8th July, 1975.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five thirty o'clock p.m., it was—

Resolved in the affirmative. 4.10 p.m.

The sitting of the Senate was resumed. 5.15 p.m.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

JUNE 26, 1975

Madam,

I have the honour to inform you that the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 26th day of June at 5.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,

Your obedient servant,

ANDRÉ GARNEAU
Brigadier General

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

With leave,
The Senate reverted to Notices of Motions.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.:

That the following Senators be appointed to act on behalf of the Senate on the Special Joint Committee on the National Capital Region, namely, the Honourable Senators Asselin, Barrow, Desruisseaux, Macdonald, McDonald, McElman, McIlraith and Molgat; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday, 8th July, 1975, at eight o'clock in the evening.

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That the Fifth Report of the Standing Joint Committee on Regulations and other Statutory Instruments, set down on the Orders of the Day for consideration on Tuesday, 8th July, 1975, be brought forward.

Pursuant to Order, the Senate proceeded to the consideration of the Fifth Report of the Standing Joint Committee on Regulations and other Statutory Instruments.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Lafond, that the Report be adopted now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 5.30 p.m.

The sitting of the Senate was resumed. 5.40 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

“It is the desire of the Honourable the Deputy of His Excellency the Governor General, that they attend him immediately in the Senate Chamber.”

The House of Commons being come,

The Clerk Assistant read the titles of the Bill to be assented to, as follows:—

An Act to amend the Old Age Security Act, to repeal the Old Age Assistance Act and to amend other Acts in consequence thereof

An Act to amend the Department of Industry, Trade and Commerce Act

An Act to amend the Explosives Act.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

“In Her Majesty’s name, the Right Honourable the Deputy of His Excellency the Governor General doth assent to these Bills.”

The Honourable the Speaker of the Commons addressed the Honourable the Deputy of His Excellency the Governor General, as follows:—

“May it please Your Honour:

The Commons of Canada have voted supplies required to enable the Government to defray certain expenses of the public service:

In the name of the Commons, I present to Your Honour the following Bill:—

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976.

To which Bill I humbly request Your Honour’s Assent.”

After the Clerk Assistant read the title of the Bill,—

To this Bill the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

“In Her Majesty’s name, the Honourable the Deputy of His Excellency the Governor General thanks her loyal subjects, accepts their benevolence and assents to this Bill.”

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Carter, moved, seconded by the Honourable Senator McDonald,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 440)

COMPETITION POLICY

Second Interim Report of the Standing Senate Committee
on Banking, Trade and Commerce

THURSDAY, June 26, 1975.

On October 16, 1974, the following order of reference was made by the Senate:

"That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon any bill relating to competition in Canada or to the *Combines Investigation Act*, in advance of the said bill coming before the Senate, or any matter relating thereto;

That the Committee have power to engage the services of such counsel, staff and technical advisers as may be necessary for the purpose of the said examination; and

That the papers and evidence received and taken on the subject in the preceding session be referred to the Committee."

Pursuant to the above order of reference, your Committee now presents its Second Interim Report as follows:

Since your Committee's Interim Report, dated March 18, 1975, on the subject-matter was tabled, it has been brought to its attention by the International Air Transport Association that the Canadian Government has entered into air transport agreements with the Governments of Australia, Belgium, Denmark, Fiji, France, the Federal Republic of Germany, Ireland, Israel, Italy, Jamaica, Japan, Mexico, the Netherlands, New Zealand, Pakistan, Peru, Switzerland, the United Kingdom and the United States.

These agreements require, directly or indirectly, that airlines should reach agreements in respect of tariffs and, where possible, this should be done through the Traffic Conference system of the International Air Transport Association which was incorporated by Act of Parliament in 1945, and recently amended to enable charter carriers to be admitted to membership. The resulting agreements must be filed with the Canadian

Transport Commission and the Commission has control over the tariffs resulting therefrom.

As Bill C-2 would extend the application of the *Combines Investigation Act* to "services", the making of such an agreement might constitute an offence under the Act, thereby jeopardizing the entire international air transport rate-making system which has been recognized by the Canadian Government up to now.

In your Committee's opinion there is at least a reasonable doubt as to whether jurisprudence under the present provisions of the *Combines Investigation Act* holding that an industry, whose activities are regulated by a government body are, to that extent, exempt from the application of the Act, would cover the position of Canadian air carriers. Your Committee considers that the public can be better protected through regulation and control of air transportation matters by a single government agency and accordingly recommends that agreements affecting air transportation should be specifically exempted from the application of the *Combines Investigation Act* as amended by Bill C-2. The following is a suggested text of a provision to be inserted in the Act for this purpose:—

"4.3 This Act does not apply in respect of agreements or arrangements affecting air transportation reflected in any written contract filed with the Canadian Transport Commission pertaining to the pooling or apportioning of earnings, losses, traffic, service, or equipment, or to the establishment of transportation rates, fares, charges, or classifications, or for preserving and improving safety, economy and efficiency of operations, or for controlling, regulating, preventing or otherwise eliminating destructive, oppressive or wasteful competition or for regulating stops, schedules and character of service, or in respect of other co-operative working arrangements, including the collective selection and administration of agencies for the sale of air transportation."

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.



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Journals of the Senate

No. 105

Tuesday, 8th July, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Bélisle,
Benidickson,
Blois,
Bonnell,
Bourget,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Flynn,
Fournier,
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Hayden,
Hicks,
Inman,
Lafond,

Laird,
Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,

Molgat,
Neiman,
Norrie,
Perrault,
Petten,
Quart,
Riley,
Robichaud,
Rowe,
Sparrow,
Stanbury,
Thompson,
van Roggen,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill C-16, intituled: "An Act to amend certain statutes to provide equality of status thereunder for male and female persons",

And to acquaint the Senate that the Commons have agreed to the amendment made by the Senate to this Bill, without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-53, intituled: "An Act to amend the Prairie Grain Advance Payments Act, No. 2", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-57, intituled: "An Act to amend the Federal-Provincial Fiscal Arrangements Act, 1972", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 10th July, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the administration of the *Canadian Forces Superannuation Act* for the fiscal year ended March 31, 1975, pursuant to section 28 of the said Act, Chapter C-9, R.S.C., 1970.

Report on the administration of the *Canadian Forces Superannuation Act*, Part II, including amounts credited to or charged against the Regular Force Death Benefit Account for the fiscal year ended March 31, 1975, pursuant to section 41 of the said Act, Chapter C-9, R.S.C., 1970.

Statement by the Department of National Defence of moneys received and disbursed in the Special Account (Replacement of Materiel) for the fiscal year ended March 31, 1975, pursuant to section 11(4) of the *National Defence Act*, Chapter N-4, R.S.C., 1970.

Report of Defence Construction (1951) Limited, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report on proceedings under the *Canada Labour Code*, Part III (Labour Standards), for the fiscal year ended March 31, 1975, pursuant to section 75 of the said Code, Chapter L-1, R.S.C., 1970.

Copies of Summary of the Scott Committee Report entitled "Canadian Port Organization", dated June 1975.

Report of the Unemployment Insurance Commission for the year ended December 31, 1974, pursuant to section 130(2) of the *Unemployment Insurance Act*, 1971, Chapter 48, Statutes of Canada, 1970-71-72.

Report of the Science Council of Canada for the fiscal year ended March 31, 1975, pursuant to section 19 of the *Science Council of Canada Act*, Chapter S-5, R.S.C., 1970.

Report of Canadian Commercial Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 13(1) of the *Canadian Commercial Corporation Act*, Chapter C-6, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of Canadian Arsenals Limited, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of Crown Assets Disposal Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 14 of the *Surplus Crown Assets Act*, Chapter S-20, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of a document entitled "Distribution of 1975-76 Expenditure Reductions", which identifies the areas in which expenditures will be cut during the current fiscal year in order to achieve the reduction announced in the budget presented on June 23, 1975, together with a statement thereon by the President of the Treasury Board.

Report of the Farm Credit Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Statement of expenditures and financial commitments made under the *Veterans' Land Act* for the fiscal year ended March 31, 1975, pursuant to section 49 of the said Act, Chapter V-4, R.S.C., 1970.

Capital Budgets of the Atlantic Pilotage Authority, the Laurentian Pilotage Authority, the Great Lakes

Pilotage Authority, Ltd. and the Pacific Pilotage Authority for the fiscal years 1972, 1973, 1974 and 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-1433, dated June 20, 1975, approving the budgets for 1972, 1973 and 1974, and copy of Order in Council P.C. 1975-1434, dated June 20, 1975, approving the budget for 1975.

Report of The St. Lawrence Seaway Authority, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Financial statements of the National Harbours Board, together with the Auditor General's report thereon, for the year ended December 31, 1974, pursuant to section 32 of the *National Harbours Board Act*, Chapter N-8, R.S.C., 1970.

Report of the Administrator of the Maritime Pollution Claims Fund for the fiscal year ended March 31, 1975, pursuant to section 747 of the *Canada Shipping Act*, Chapter S-9, as amended by Chapter 27 (2nd Supplement), R.S.C., 1970.

Report of The Seaway International Bridge Corporation, Ltd., including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Superintendent of Insurance on the administration of the *Pension Benefits Standards Act* for the fiscal year ended March 31, 1975, pursuant to section 22 of the said Act, Chapter P-8, R.S.C., 1970.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Lamontagne, P.C., calling the attention of the Senate to the state of the Canadian economy,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Macnaughton, P.C., called the attention of the Senate to the Sixteenth Meeting of the Canada-United States Interparliamentary Group, held at Quebec City, 24th to 27th April, 1975.

Debated.

The Honourable Senator Macnaughton, P.C., tabled the Report of the Sixteenth Meeting of the Canada-United States Interparliamentary Group, dated Thursday, May 8, 1975.

Ordered, That the Report of the Sixteenth Meeting of the Canada-United States Interparliamentary Group be printed as an Appendix to the Debates of the Senate of this day.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 106

Wednesday, 9th July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Flynn,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hastings,
Hayden,
Hicks,
Inman,
Lafond,

Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McEIman,
McGrand,
McIlraith,
McNamara,
Michaud,

Molgat,
Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Prowse,
Quart,
Riley,
Robichaud,
Rowe,
Sparrow,
Thompson,
van Roggen,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:

Copies of a document setting forth the Canadian position with respect to Conventions and Recommendations adopted at the 58th Session of the International Labour Conference, held at Geneva in June 1973.

Pursuant to the Order of the Day, the Honourable Senator Molgat moved, seconded by the Honourable Senator McDonald, that the Bill C-53, intituled: "An Act to amend the Prairie Grain Advance Payments Act, No. 2", be read the second time.

After debate,

The Honourable Senator Yuzyk moved, seconded by the Honourable Senator Argue, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)".

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator

Lamontagne, P.C., calling the attention of the Senate to the state of the Canadian economy.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Burchill called the attention of the Senate to acceleration in the devastation of the forests of Eastern Canada and adjoining areas by the ravages of the spruce budworm.

After debate,

The Honourable Senator Michaud moved, seconded by the Honourable Senator Carter, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
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Canada

Journals of the Senate

No. 107

Thursday, 10th July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lamontagne,	Neiman,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Lang,	Norrie,
Barrow,	Croll,	<i>Gloucester</i>),	Langlois,	Paterson,
Basha,	Davey,	Godfrey,	Lapointe,	Perrault,
Benidickson,	Denis,	Goldenberg,	Lefrançois.	Petten,
Bonnell,	Deschatelets,	Graham,	Macdonald,	Prowse,
Bourget,	Desruisseaux,	Greene,	Manning,	Riel,
Buckwold,	Eudes,	Grosart,	McDonald,	Robichaud,
Burchill,	Flynn,	Haig,	McElman,	Rowe,
Cameron,	Fournier	Hastings,	McGrand,	Sparrow,
Carter,	(<i>de Lanaudière</i>),	Hicks,	McNamara,	Thompson,
Choquette,	Fournier	Inman,	Michaud,	van Roggen,
Connolly	(<i>Madawaska-</i>	Lafond,	Molgat,	Zuzyk.
(<i>Ottawa West</i>),	<i>Restigouche</i>),	Laird,		

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, July 9, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Guay (St. Boniface) has been substituted for that of Mr. Landers on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-50, intituled: "An Act to amend the Agricultural Stabilization Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Monday next, 14th July, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of Atomic Energy of Canada Limited, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of a Report by the Minister of Agriculture on the First Session of the World Food Council, held in Rome, June 23-27, 1975, together with copies of statements made by the Minister at that Session.

Report of the Canadian Radio-Television Commission for the fiscal year ended March 31, 1975, pursuant to section 31 of the *Broadcasting Act*, Chapter B-11, R.S.C., 1970.

The Honourable Senator Lamontagne, P.C., from the Special Committee of the Senate on Science Policy presented the First Report of the said Special Committee.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the

Proceedings of the Senate of this day and form part of the permanent records of this House.

(*See Appendix to the Journals of the Senate of this day at pages 454-457*).

The Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator Connolly, P.C., that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 14th July, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Molgat, seconded by the Honourable Senator McDonald, for the second reading of the Bill C-53, intituled: "An Act to amend the Prairie Grain Advance Payments Act, No. 2".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Molgat moved, seconded by the Honourable Senator McDonald, that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-57, intituled: "An Act to amend the Federal-Provincial Fiscal Arrangements Act, 1972",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to

amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Burchill calling the attention of the Senate to acceleration in the devastation of the forests of Eastern Canada and adjoining areas by the ravages of the spruce budworm.

After debate,

The Honourable Senator Petten for the Honourable Senator Deschatelets, P.C., moved, seconded by the Honourable Senator Inman, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 452)

THURSDAY, 10th July 1975.

The Special Committee of the Senate on Science Policy makes its first report as follows:

On November 21, 1974, the Senate approved a motion which read in part:

"That a Special Committee of the Senate, to be known as the Special Committee of the Senate on Science Policy, be appointed to organize and hold a conference for the purpose of determining the feasibility of establishing a Commission on the Future, whose responsibility would be to help as many private and public organizations as possible to forecast and build their future not only in isolation but together."

This motion was designed to implement a recommendation contained in Volume 2 of the report of the Senate Special Committee on Science Policy. Another proposal presented in that volume recommended

"That the Economic Council should enlarge its activities and establish a special Committee on the Future with broad terms of reference but looking more specifically at the years 2000 and 1985 and attempting to project various possible environments that could emerge from the extrapolation of identifiable Canadian trends within the international context."

Thus, what the Committee had in mind when it prepared its report was to attain two specific objectives: first, to launch systematic futures research in Canada; secondly, to gather and diffuse in usable form the best information available in the world on the future so as to improve Canadian decision-making in the private as well as in the public sectors. The purpose of holding a conference was to consult a representative group of Canadian decision-makers on the feasibility of institutions designed to meet these two objectives.

In preparing the proposed conference, the Committee had to start from scratch because very little had been done in Canada in the area of research and information on the future. We had to learn what was going on in the world in this field. As a result of this preliminary operation, the information accumulated by our staff on this topic is certainly the most complete and up to date that exists in Canada. This is a most valuable asset.

On the basis of that information, a series of preliminary working papers was prepared and compressed in a document entitled "Managing the Future: Conference on Anticipatory Institutions". The Committee proposes to print that document together with the present report so that both will be available to the public for future reference.

That document was finalized in mid-January 1975 and distributed to a number of experts in Canada and abroad. The Chairman also sent a copy to the Prime Minister because it was felt that the active participation of the government was necessary if futures research and information were to be improved in Canada.

The Prime Minister answered on February 21, 1975 partly as follows:

"Thank you for sending me your report regarding the proposed conference on futures studies in Canada. I have taken note of this document with the utmost interest and, as I have told you before, I, like you, desire to see an improvement of the conditions in which decisions are taken in the public sector . . .

It is with regret that I have accepted John Aird's resignation from The Senate. However, I know he will bring a valuable contribution to the Institute for Research on Public Policy. This organization has taken longer to start than I had hoped and I would be happy if you would discuss with Mr. Aird the role that the Institute should play in these studies. It would seem in effect that this organization should initially be given the responsibility of the important tasks which you have so well defined."

Thus, it became clear that the Prime Minister agreed with the Committee's objectives and recognized the need for more and better futures research and information. This was the substance of the message contained in our document. He felt, however, that this need should be met by the Institute for Research on Public Policy rather than by new institutions to be designed by Canadian decision-makers during a special conference.

The different strategy proposed by the Prime Minister is understandable. As he says in his letter, the Institute established in 1972 has taken longer to start than he had hoped. With its very broad and rather vague terms of reference, the Institute found it difficult to define a concrete mission and to properly organize its activities. To function effectively, it probably needs a major and continuing program such as the one our Committee put forward in its document.

On April 1st, 1975, Mr. C. R. Nixon then deputy secretary to the Cabinet wrote as follows to Dr. A. W. R. Carrothers, president of the Institute:

"Dear Mr. Carrothers,

I should like to outline thoughts on some work which IRPP might wish to consider undertaking on a contract basis. The work is on a topic which I believe lies near the center of the concerns of your institute; namely, the preparation of a comprehensive appreciation of the present situation and trends that exist in Canadian society, and how these might interact to form possible futures for the country.

There appears to be a quite general feeling that all levels of Canadian life would benefit if the decisions taken at those various levels could be made against a perspective of possible and projected long-term trends in Canadian society. From the Government's point of view, such a perspective would permit Cabinet to make choices against a longer time horizon and against a broader backdrop than is normally available; it would permit policy options to be developed within departments in the light of comprehensive portrayals of existing conditions, trends and possible futures; and it would allow departmental management to consider operational decisions in the light of longer term implications of these decisions. The appreciation should similarly be helpful to other levels of government, academia, and the private sector in their research, planning, and decision making.

In our initial thoughts it seemed that there was merit in putting the main emphasis on the trends within the various sectors of Society, working from the current situation as a point of reference, rather than trying to give a precise picture of life as it might be foreseen at any future point in time. Nevertheless, it would seem worthwhile, as well, to choose one or two points in time (e.g., 1985 and 2000), at which to consider how the balance and interaction between the evolving trends might stand. These focussed images of the evolving trends could serve to add coherence to foreseen or possible developments.

In all this, let me make the point that the reason for pursuing this project is the assumption that the future has not been determined but is, at least to some extent, a matter of choice; it is the set of possible futures and the required choices along with "surprise-free" projections, which are of interest.

Let me add the following specific thoughts on the characteristics of the project which we contemplate:

- This would be a periodic document undertaken under a contract with the federal government which would be updated annually or biennially.

- It would, of course, be a public document which would not only yield benefits to the government but would also serve to stimulate public discussion.

- There would seem to be some virtue either within the report itself, or in a companion document, in providing a commentary on other appreciations of the future such as have been done by the Ontario Economic Council and the Hudson Institute.

- As a point of reference, we had pictured the Fall of 1976 as being a target date for the initial report which could give results in reasonably broad outline and which could serve as the foundation for more precise portrayals subsequently as capabilities developed.

I appreciate that this project would be a major undertaking which you would not wish to enter into lightly. I would, however, be grateful for the opportunity,

after you have had a chance to give it some thought, to discuss with you the substance and scope of such work. After such discussion I would anticipate receiving a proposal from your Institute which could be used as a basis for contract."

It is quite obvious that Mr. Nixon's letter merely spells out the Committee's original recommendations. It even mentions the same target years of 1985 and 2000. Mr. John Aird, our former colleague who is now the Institute's chairman of the board, asked Dr. Carrothers to meet with our chairman to discuss the content of Mr. Nixon's proposal. This meeting was held on May 9. Dr. Carrothers then stated that he would submit this proposal to the Institute's executive committee on May 21. Our chairman invited Dr. Carrothers to meet our Committee to report on the executive committee's reaction.

This meeting took place on May 27. Dr. Carrothers reported that the Institute's executive committee had decided to recommend that the board of directors approve a plan of action for considering Mr. Nixon's request which would include

"The retention of a consultant and the appointment of advisers to assist in preparing a submission to the Privy Council Office subject to review by the executive committee or the board with a view to undertaking macro studies along the lines described in the request and with a view to serving as a catalyst and clearing house for forecasting studies in Canada as may be determined by the Institute's perception of needs and its capacity to meet it."

Members of the Committee noted the close similarity, even in the terms used, between the substance of this proposal and the basic aims expressed in the Committee's working paper. They felt that what the Committee and the Institute had in mind was not to initiate complementary operations but alternative strategies designed to meet the same needs. Since the executive committee's proposal would be submitted to the Institute's board of directors on June 11, it was decided to invite Dr. Carrothers to appear again before the Committee on June 17.

At this second meeting, Dr. Carrothers reported that the Institute's board had agreed to commission a feasibility study to be made by a consultant supported by a committee of advisers. He indicated that the study would include the feasibility of both the futures research and the futures information functions which, according to the Committee's plans, would otherwise have been considered at the proposed conference. He also mentioned that the board had retained the authority to make a final determination on Mr. Nixon's request at its next meeting in November when it would receive the results of the feasibility study.

Thus, it appeared even more clearly than during the first meeting that what the Institute was intending to do in response to Mr. Nixon's request was almost a mere duplication of the Senate Special Committee's mandate. Dr. Carrothers even mentioned that if the Institute decided, on the basis of the feasibility study, to respond positively to Mr. Nixon's request, he expected that a

conference would be held before launching the new futures research and information operations.

Moreover, when Dr. Carrothers was asked by Senator Grosart if there was a need for the Senate Special Committee to go ahead with its mandate and for the Institute's new undertaking, he expressed his personal view that the two operations "would probably involve a degree of duplication which probably should be avoided and to that extent therefore it may be concluded that both would not at this time be in the public interest."

When the Special Committee on Science Policy first proposed that the Senate sponsor a conference to launch futures research and information in Canada, the Institute did not exist and the Canadian government had not yet expressed any real interest in this area. The Senate was seen then as the only appropriate body, with the required impartiality, motivation and expertise, through its Special Committee, to sponsor such an undertaking, although as it was pointed out at the time, this initiative would be an unprecedented activity for our Chamber.

It has now become obvious that the Institute is prepared to assume this responsibility and that the Canadian government is willing to finance it. The Committee is convinced that such a development is the direct result of its work and feels that the Senate should not attempt to duplicate it.

The Committee therefore recommends, that its present mandate, to hold a conference for the purpose of determining the feasibility of establishing a Commission on the future be terminated.

The Institute has a sufficiently broad basis to successfully launch this new major operation. Indeed, the federal and provincial governments as well as the various segments of the private sector of Canadian society are represented on its board of directors or its council of trustees. However, to establish its credibility in this important and complex area, it will have to give top priority to the new program and develop a high degree of expertise which it has not yet acquired.

In its new endeavour, the Institute will need all the assistance it can get. The Committee feels that it can be of great help by making available all the information and documentation it has already accumulated. Dr. Carrothers has said that the Institute would be very pleased to have access to this material.

We believe, however, that our overall mission has not yet been completed. We feel that we should resume our watchdog role in three specific areas.

First, we should make a survey of futures research programs being carried out within government departments and agencies and see how the Institute will develop its new area of activities. We have succeeded in

making futures research a Canadian Government priority. We are under the impression, however, that government departments and agencies are developing their research effort in isolation in this area as in so many others. This "policy by accident" is wasteful. Dr. Carrothers has told us that the Institute intends to become "a catalyst and clearing house for forecasting studies in Canada" but he emphasized the point that it had no authority over the activities of other research organizations. However, the Committee has shown in its working paper the need for co-ordinated national networks of futures research and information and now feels that it has the obligation to monitor on-going activities in this area to make sure, in so far as it can, that this need will be effectively met.

Secondly, the Committee should make a systematic review of the implementation of the recommendations contained in its report on science policy. In 1972 and 1973 we made about 73 formal recommendations and many more other suggestions. We know that many of these proposals have been accepted by the government but it is impossible to see how they have been implemented without meeting those who have that responsibility. For instance, the make-or-buy policy which we recommended to help industry carry out more research and development activities on a contractual basis has been accepted by the government but there is a general impression that departments and agencies should buy much more than they do and, in the process, further strengthen the innovative capacity of private industry. We believe that the zeal for desirable reforms created by our report two or three years ago has diminished and that the proposed review might prevent the return of the former status quo.

Thirdly, the Committee should hold hearings on the Canadian science budget. In Volume 3 of our report, we recommended that the government present in an annual document its estimates of expenditures for scientific activities and that a committee of the Senate be authorized to make an overall review of those estimates. On February 28, 1974 the honourable Jeanne Sauvé, announced that her ministry "will be responsible for the development of a science policy framework against which individual policies can be viewed" and that a science budget display "will be used for the evaluation of departmental and agency budgetary proposals for scientific activity". The Minister added that "MOSST will evaluate these proposals prior to final consideration and approval by Treasury Board and publish annually a report analyzing federal expenditures on science and technology". The Committee feels that it should scrutinize this report and consider how the new system of evaluation works.

It seems to us that these three specific areas deserve to be investigated.

The Committee, therefore, recommends that it be authorized to consider and report on Canadian government and other expenditures on scientific activities and matters related thereto;

That the Committee have power to engage the services of such counsel and clerical personnel as may be necessary for the purpose of the inquiry;

That the Committee have power to send for persons, papers and records, to sit during adjournments of the Senate and to report from time to time; and

That the Committee be authorized to print such papers and evidence from day to day as may be ordered by the Committee.

Respectfully submitted,

MAURICE LAMONTAGNE,
Chairman.



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Journals of the Senate

No. 108

Monday, 14th July, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Croll,
Basha,	Denis,
Benidickson,	Deschatelets,
Buckwold,	Desruisseaux,
Carter,	Eudes,
Choquette,	Flynn,
Connolly	Fournier
(Ottawa West),	(Restigouche-
Cook,	Gloucester),
Cottreau,	Godfrey,

Goldenberg,
Graham,
Grosart,
Haig,
Hayden,
Inman,
Lafond,
Laird,
Lamontagne,

Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
McGrand,
McIlraith,
McNamara,
Michaud,

Molgat,
Neiman,
Norrie,
Paterson,
Petten,
Phillips,
Riley,
Robichaud,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, July 10, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Rompkey and Orlikow have been substituted for those of Messrs. Stollery and Gilbert on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, July 11, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the following Members have been appointed to act on behalf of the House of Commons on the Special Joint Committee on the National Capital Region, namely: Messrs. Baker (*Grenville-Carleton*), Bawden, Clermont, Corbin, Ellis, Francis, Gauthier (*Ottawa-Vanier*), Goodale, Isabelle, Knowles (*Winnipeg North Centre*), La Salle, Macquarrie, Poulin, Rondeau and Watson.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill S-24, intituled: "An Act to incorporate the Canadian Commercial and Industrial Bank",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-8, intituled: "An Act to establish a national petroleum company", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden, that the Bill be read a second time later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-63, intituled: "An Act to amend the Olympic (1976) Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois laid on the Table the following:

Report of the Standards Council of Canada for the fiscal year ended March 31, 1975, including its financial statements certified by the Auditor General, pursuant to section 20 of the *Standards Council of Canada Act*, Chapter 41 (1st Supplement), R.S.C., 1970.

Report of the Agricultural Products Board for the fiscal year ended March 31, 1975, pursuant to section 7 of the *Agricultural Products Board Act*, Chapter A-5, R.S.C., 1970.

Report of the Agricultural Stabilization Board for the fiscal year ended March 31, 1975, pursuant to section 14 of the *Agricultural Stabilization Act*, Chapter A-9, R.S.C., 1970.

Auditors' Report to Parliament on the accounts of Air Canada for the year ended December 31, 1974, pursuant to section 28 of the *Air Canada Act*, Chapter A-11, R.S.C., 1970.

Report of the National Librarian for the fiscal year ended March 31, 1975, pursuant to section 13 of the *National Library Act*, Chapter N-11, R.S.C., 1970.

Copies of document entitled "Review of the Procurement Practices and Policies and the Intercompany Financial Relationships of the British Columbia Telephone Company", issued by the Department of Communications and dated July 1975.

Capital Budgets of the Cape Breton Development Corporation for the fiscal year ending March 31, 1976, pursuant to sections 21 and 26 of the *Cape Breton Development Corporation Act*, Chapter C-13, R.S.C., 1970, together with copy of Order in Council P.C. 1975-1482, dated June 26, 1975, approving same.

Copies of Executive Summary on the West Coast Fishing Vessels Casualties Inquiry, issued by the Department of Transport and dated March 1975.

Report of Canadian Patents and Development Limited for the fiscal year ended March 31, 1975, including its accounts and financial statements certified by the Auditor General, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Canadian Broadcasting Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 47 of the *Broadcasting Act*, Chapter B-11, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

The following petition was presented:—

By the Honourable Senator Carter:

Of The Royal Canadian Legion, of the City of Ottawa, in the Province of Ontario; praying for the passing of an Act amending its Act of incorporation, empowering it to provide for the revocation and surrender of charters of commands and branches, and for other purposes.

The Order of the Day being called for the second reading of the Bill C-50, intituled: "An Act to amend the *Agricultural Stabilization Act*",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Lang moved, seconded by the Honourable Senator Cook, that the Bill C-57, intituled: "An Act to amend the *Federal-Provincial Fiscal Arrangements Act, 1972*" be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to Order, the Honourable Senator Cook moved, seconded by the Honourable Senator Paterson, that the Bill C-8, intituled: "An Act to establish a national petroleum company", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the *National Defence Act* and the *Criminal Code* (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the *Criminal Code* (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Burchill calling the attention of the Senate to acceleration in the devastation of the forests of Eastern Canada and adjoining areas by the ravages of the spruce budworm,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the First Report of the Special Committee of the Senate on Science Policy,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 109

Tuesday, 15th July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Basha,
Bélisle,
Benidickson,
Buckwold,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,
Cottreau,

Croll,
Denis,
Deschatelets,
Eudes,
Flynn,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Godfrey,

Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Inman,
Lafond,
Laird,
Lamontagne,

Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,

Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Phillips,
Quart,
Riley,
Robichaud,
Sparrow,
Thompson,
Yuzyk.

PRAYERS.

The following petition was presented:—

By the Honourable Senator Denis, P.C.:

Of Richard Fritz and Marianne Strass, both of the City of LaSalle, in the Province of Quebec; praying for the passing of an Act to provide an exception from the general law relating to marriage in the case of the said petitioners.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Notes exchanged between the Governments of Canada and the Republic of Argentina constituting an Agreement concerning Nuclear Cooperation. Signed at Buenos Aires, September 10 and 12, 1974. In force September 12, 1974.

Copies of a contract between the Government of Canada and the Town of Morinville, Alberta, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

The following petition was read and received:

Of The Royal Canadian Legion, of the City of Ottawa, in the Province of Ontario; praying for the passing of an Act amending its Act of incorporation, empowering it to provide for the revocation and surrender of charters of commands and branches, and for other purposes.

The Clerk of the Senate laid on the Table the fifth Report of the Examiner of Petitions for Private Bills, as follows:—

TUESDAY, July 15, 1975.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his fifth report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of The Royal Canadian Legion, of the City of Ottawa, in the Province of Ontario; praying for the passing of an Act amending its Act of incorporation, empowering it to provide for the revocation and surrender of charters of commands and branches, and for other purposes.

Respectfully submitted.

PIERRE GODBOUT,
Examiner of Petitions for Private Bills.

The Honourable Senator Carter presented to the Senate a Bill S-28, intituled: "An Act respecting The Royal Canadian Legion".

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Buckwold, that the Bill be placed on the Orders of the Day for a second reading later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture to which was referred the Bill C-53, intituled: "An Act to amend the Prairie Grain Advance Payments Act, No. 2", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Molgat moved, seconded by the Honourable Senator Goldenberg, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the name of the Honourable Senator Benidickson be substituted for that of the Honourable Senator Bonnell on the list of Senators serving on the Special Joint Committee on Immigration Policy; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Cook, for the second reading of the Bill C-57, intituled: "An Act to amend the Federal-Provincial Fiscal Arrangements Act, 1972".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Lang moved, seconded by the Honourable Senator Cook, that the Bill be referred to

the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Paterson, for the second reading of the Bill C-8, intituled: "An Act to establish a national petroleum company",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Deschatelets, P.C., moved, seconded by the Honourable Senator Norrie, that the Bill C-63, intituled: "An Act to amend the Olympic (1976) Act", be read the second time.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Greene, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill C-50, intituled: "An Act to amend the Agricultural Stabilization Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Greene, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Burchill calling the attention of the Senate to acceleration in the devastation of the forests of Eastern Canada and adjoining areas by the ravages of the spruce budworm.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the First Report of the Special Committee of the Senate on Science Policy.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Buckwold, that the Bill S-28, intituled: "An Act respecting The Royal Canadian Legion", be read the second time.

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Haig, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Argue:

That the Standing Senate Committee on Agriculture have power to sit while the Senate is sitting tomorrow, Wednesday, 16th July, 1975, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 110

Wednesday, 16th July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Godfrey,	Langlois,	Neiman,
Asselin,	Cottreau,	Goldenberg,	Lapointe,	Norrie,
Barrow,	Croll,	Graham,	Lefrançois,	Paterson,
Basha,	Denis,	Greene,	Macdonald,	Perrault,
Bélisle,	Deschatelets,	Grosart,	Macnaughton,	Petten,
Benidickson,	Eudes,	Haig,	Manning,	Phillips,
Bourget,	Flynn,	Hastings,	McGrand,	Quart,
Buckwold,	Fournier	Hayden,	McIlraith,	Robichaud,
Carter,	(de Lanaudière),	Inman,	McNamara,	Sparrow,
Choquette,	Fournier	Lafond,	Michaud,	Thompson,
Connolly	(Restigouche-	Laird,	Molgat,	Yuzyk.
(Ottawa West),	Gloucester),	Lamontagne,		

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-67, intituled: "An Act to amend the Customs Tariff, (No. 3)", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read a second time later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Economic Council of Canada, including its financial statement certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 21(1) of the *Economic Council of Canada Act*, Chapter E-1, R.S.C., 1970.

Report of the National Capital Commission, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

The following petition was read and received:

Of Richard Fritz and Marianne Strass, both of the City of LaSalle, in the Province of Quebec; praying for the passing of an Act to provide an exception from the general law relating to marriage in the case of the said petitioners.

The Clerk of the Senate laid on the Table the sixth report of the Examiner of Petitions for Private Bills, as follows:—

WEDNESDAY, July 16, 1975

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his sixth report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of Richard Fritz and Marianne Strass, both of the City of LaSalle, in the Province of Quebec; praying for the passing of an Act to provide an exception from the general law relating to marriage in the case of the said petitioners.

Respectfully submitted.

PIERRE GODBOUT,
Examiner of Petitions for Private Bills.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-57, intituled: "An Act to amend the Federal-Provincial Fiscal Arrangements Act, 1972", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Hayden moved, seconded by the Honourable Senator Denis, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the names of the Honourable Senators Deschatelets and Lafond be substituted for those of the Honourable Senators Desruisseaux and Molgat on the list of Senators serving on the Special Joint Committee on the National Capital Region; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-53, intituled: "An Act to amend the Prairie Grain Advance Payments Act, No. 2", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Deschatelets, P.C., seconded by the Honourable Senator Norrie, for the second reading of the Bill C-63, intituled: "An Act to amend the Olympic (1976) Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Deschatelets, P.C., moved, seconded by the Honourable Senator Asselin, P.C., that

the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Buckwold, for the second reading of the Bill S-28, intituled: "An Act respecting The Royal Canadian Legion".

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Carter moved, seconded by the Honourable Senator Laird:

That Rule 95, whereby a private bill originating in the Senate shall not be considered by a committee until after one week from the date of referral, be suspended with respect to the Bill S-28, intituled: "An Act respecting The Royal Canadian Legion".

After debate,
A point of order having been raised by the Honourable Senator Grosart, the Honourable the Speaker ruled as follows:—

"Rule 88 deals with a petition, whereas Rule 95 refers to a bill. With respect to Bill S-28, the petition was read yesterday, and the Report of the Examiner of Petitions for Private Bills was laid on the table. It states that the Rules of the Senate were complied with by the petitioners. Then the bill was presented and read a first time. The Honourable Senator Carter's motion is for the suspension of Rule 95, which provides for one week's delay before a private bill can be considered by a committee.

The Honourable Senator Carter obtained leave of the Senate to move his motion for the suspension of Rule 95, by authority of Rule 3, which reads as follows:

"3. Any rule or part thereof may be suspended without notice by leave of the Senate, the rule or part thereof proposed to be suspended, and the reason for the proposed suspension, being distinctly stated."

The Honourable Senator Carter then moved his motion and the question was put. However, if Honourable Senators want to comment further I will hear them and

reserve my decision until later. If not, I rule that the Honourable Senator Carter's motion which was moved, with leave, pursuant to Rule 3, is in order."

After debate, and—

The question being put on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Laird, it was—

Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Paterson, for the second reading of the Bill C-8, intituled: "An Act to establish a national petroleum company",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to Order, the Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill C-67, intituled: "An Act to amend the Customs Tariff, (No. 3)", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Burchill calling the attention of the Senate to acceleration in the devastation of the forests of Eastern Canada and adjoining areas by the ravages of the spruce budworm.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the First Report of the Special Committee of the Senate on Science Policy.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

A Message was brought from the House of Commons by their Clerk to return the Bill S-25, intituled: "An Act to amend the Privileges and Immunities (International Organizations) Act",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 111

Thursday, 17th July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Laird,	Molgat,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Lamontagne,	Neiman,
Barrow,	Croll,	<i>Gloucester</i>),	Langlois,	Norrie,
Basha,	Davey,	Godfrey,	Lapointe,	Perrault,
Bélisle,	Denis,	Greene,	Lefrançois,	Petten,
Benidickson,	Deschatelets,	Grosart,	Macdonald,	Phillips,
Bourget,	Eudes,	Haig,	Macnaughton,	Quart,
Buckwold,	Flynn,	Hastings,	McGrand,	Robichaud,
Carter,	Fournier	Hays,	McIlraith,	Sparrow,
Choquette,	(<i>de Lanaudière</i>),	Inman,	McNamara,	Thompson,
		Lafond,	Michaud,	Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, July 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that Bill C-70, An Act to amend the Public Service Staff Relations Act, has been referred to the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, July 16, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Clarke (*Vancouver Quadra*) has been substituted for that of Mr. Dinsdale on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, July 16, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Stewart (*Cochrane*) has been substituted for that of Mr. Corbin on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, July 16, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Saltsman

has been substituted for that of Mr. Knowles (*Winnipeg North Centre*) on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Army Benevolent Fund Board, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 13 of the *Army Benevolent Fund Act*, Chapter A-16, R.S.C., 1970.

The Honourable Senator Buckwold from the Special Joint Committee on Employer-Employee Relations in the Public Service tabled the Fourth Report of the said Special Joint Committee, as follows:—

WEDNESDAY, July 16, 1975.

The Special Joint Committee of the Senate and of the House of Commons on Employer-Employee Relations in the Public Service has the honour to present its Fourth Report as follows:

Pursuant to the Order of Reference of the House of Commons of Tuesday, July 15, 1975, the Committee has examined Bill C-70, intituled: "An Act to amend the Public Service Staff Relations Act" and has agreed to report it without amendment.

A copy of the Minutes of Proceedings and Evidence relating to this Bill (*Issue No. 41*) is appended.

Respectfully submitted.

SIDNEY L. BUCKWOLD,
Joint Chairman.

The Honourable Senator Macnaughton, P.C., Acting Chairman, from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-63, intituled: "An Act to amend the Olympic (1976) Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Deschatelets, P.C., moved, seconded by the Honourable Senator Asselin, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill S-28, intituled: "An Act respecting The Royal Canadian Legion", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Buckwold, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture to which was referred the Bill C-50, intituled: "An Act to amend the Agricultural Stabilization Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Greene, P.C., moved, seconded by the Honourable Macnaughton, P.C., that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture which was authorized, without special reference by the Senate, to examine, from time to time, any aspect of the agricultural industry in Canada, presented a Report on Crop Insurance.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 475-477).

The Honourable Senator Argue moved, seconded by the Honourable Senator McNamara, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the name of the Honourable Senator Quart be substituted for that of the Honourable Senator Macdonald on the list of Senators serving on the Special Joint Committee on the National Capital Region; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-57, intituled: "An Act to amend the Federal-Provincial Fiscal Arrangements Act, 1972", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Benidickson, P.C., seconded by the Honourable Senator Lamontagne, P.C., for the second reading of the Bill C-67, intituled: "An Act to amend the Customs Tariff, (No. 3)".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Benidickson, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Paterson, for the second reading of the Bill C-8, intituled: "An Act to establish a national petroleum company".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Cook moved, seconded by the Honourable Senator Inman, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Burchill calling the attention of the Senate to acceleration in the devastation of the forests of Eastern Canada and adjoining areas by the ravages of the spruce budworm.

Debated.

Ordered, That the Statement on the Spruce Budworm Problem prepared by the Department of the Environment be printed as an Appendix to the Debates of the Senate of this day.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the First Report of the Special Committee of the Senate on Science Policy.

The Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Report be adopted now.

After debate,

The Honourable Senator Macdonald for the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 21st July, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 473)

THURSDAY, July 17, 1975.

On March 20, 1975, the Standing Senate Committee on Agriculture in accordance with its terms of reference undertook an examination of crop insurance programs in Canada. The Committee now seeks to inform the Senate of its progress and to make some recommendations for changes in certain aspects of the crop insurance programs in Canada.

After many years of consideration and numerous studies the *Crop Insurance Act* was passed by Parliament in 1959 to provide assistance to the provinces in making all risk crop insurance available to the farmers of Canada. The Act has been amended four times since that date, in 1964, 1966, 1971 and 1973, to improve the quality of the crop insurance offered and to permit its extension to greater numbers of farmers. Crop insurance is now available in every province in Canada and to most of the farmers of Canada. This progress, this federal-provincial co-operation in providing an essential program to the farmers of Canada, should be applauded.

The purpose of crop insurance is to provide protection to the farmer against crop losses caused by natural hazards beyond his control. It provides the insured farmer a guarantee of a specified number of production units (bushels, pounds, etc.) of a specified grade for the insured crop. If production falls below the level of the guarantee and if the cause of the shortfall is a specified peril then the farmer is paid an indemnity on the loss of production. The guarantee can not exceed eighty percent of the average yield and it is designed to return to the farmer the costs of production for the crop lost.

The federal and provincial governments provide assistance to the farmers in covering the cost of crop insurance. The *Crop Insurance Act* contains two federal-provincial funding formulae. The first provides for the equal sharing by the two levels of government of the costs of administering the plan and for the participation of the two governments and the farmer in paying the premium costs on the basis of twenty-five percent by the federal government, twenty-five percent by the provincial government, and fifty percent by the farmer. The second formula provides that the federal government and the farmer will share the premium costs and that the province will pay the costs of administration. The farmers of Canada are thus able to participate in a crop insurance program at a reasonable cost and since 1973, when the formulae were altered to reduce that cost to the fifty percent level, the number of farmers participating has increased considerably.

Crop insurance is a valuable program and more and more farmers each year have been permitted to participate and have chosen to participate. For example, in 1971, when crop insurance was available in all the provinces except Newfoundland and New Brunswick, 46,326 farmers participated and a liability of 130.9 million dol-

lars of coverage was carried. In 1974, with crop insurance available in all provinces, 84,781 farmers participated and a liability of 657.2 million dollars was carried. Expectations are that in the current year over 100,000 farmers will participate and that total coverage will exceed 955 million dollars.

Crop insurance has grown, it has been accepted, but how well does a program designed and developed fifteen years ago, primarily for the Prairies, meet the needs of farmers all across Canada today. It was this question that motivated your Committee to undertake a review of the crop insurance programs in Canada. This examination is not complete, there are several important problems to which the Committee wishes to give further consideration. These include the existing loan assistance and re-insurance provisions, the suitability of the present crop insurance legislation in relation to the smaller provinces, the possibility of extending crop insurance legislation to include livestock insurance and the relationship between crop insurance and income insurance.

There are some problems with crop insurance that the Committee believes should be brought to the attention of the Senate, the federal and provincial governments and the public and about which the Committee desires to make some recommendations. These include the variation between provincial programs in the rates of interest charged on the late payment of premiums, the existing spot loss coverage and the lack of uniformity across provincial borders of insurance programs for crops produced under similar conditions.

Your Committee is concerned about the penalties levied upon the failure to pay crop insurance premiums on time. It believes that a penalty should be assessed for late payment and that a discount should be given for prompt payment and it recognizes that the crop insurance agencies should not be considered as credit granting institutions. However, your Committee has concluded that the variation in the interest rates charged across Canada is too great and that some rates are clearly out of line. For example, in the Provinces of Manitoba and Prince Edward Island, the delinquent insured is charged at a simple interest rate of six percent on the unpaid balance, while in the Province of Saskatchewan, the insured can be charged, if he fails to pay before December 1st, a penalty of fifteen percent of the unpaid balance, that is an effective rate of 4.3 percent per month for the period August 15th to December 1st. Such a monthly rate is clearly unjustifiable, as is that charged in the Province of Alberta which is an effective rate of 2.9 percent.

Your Committee therefore recommends:

That the provincial crop insurance agencies give serious consideration to charging on the unpaid balance of the insured's crop insurance premium an interest rate of no higher than twelve percent per annum simple interest.

When they appeared before the Committee the crop insurance agencies of Alberta, Prince Edward Island and New Brunswick recommended that spot loss coverage be widened to meet the needs of the farmers in their provinces. The spot loss option covers damage by a specific peril to a portion of the insured's crop regardless of whether production of the crop exceeds the guarantee or not. Without this type of coverage farmers can experience severe losses and not receive compensation. At present it is applicable to two associated perils, hail and fire, and it is fully available in Saskatchewan, Manitoba and Alberta, and available in a limited form in Ontario and British Columbia. In Saskatchewan spot loss coverage for hail is included in the all risk contract, while in Manitoba and Alberta it is an option for which the farmer pays an additional premium. In the latter two provinces farmers in considerable numbers have accepted the innovation, for example, in Manitoba fifty percent of contracts carried the spot loss option in 1974 and it is expected that over sixty percent will do so in 1975.

The agencies from Alberta, Prince Edward Island and New Brunswick believe that the farmers in their provinces would be willing to purchase, indeed are desirous of purchasing, spot loss coverage for other perils. The Alberta Hail and Crop Insurance Corporation recommended that damage due to excessively early frost, to the flooding of creeks, rivers and lakes where the area affected exceeds ten acres, to insects for which no control technology is commercially available at the time of the outbreak and to wild life damage be included in the approved list. The New Brunswick Crop Insurance Commission recommended that damage to the potato crop due to washouts and to flooding be included.

Other witnesses appearing before the Committee expressed their concern that the crop insurance program should not be imperilled by the hasty extension of the spot loss options. After considering these suggestions for the extensions of spot loss coverage on the one hand and the statements of caution on the other, your Committee therefore recommends:

That the federal and provincial departments of agriculture and the crop insurance agencies undertake joint research projects on specific perils to decide how they might best be included under spot loss coverage.

Another problem area that the Committee is concerned about is the variation between the programs within the regions of Canada. To date, the Committee has given particular attention to this problem in relation to the Prairie region, but it recognizes that variations do exist in the Maritimes and it will be giving further attention to these Maritime problems as previously mentioned.

In the Prairie region the provincial programs differ in at least three important aspects: the calculation of individual coverage adjustments, the magnitude of premium discounts, and the setting of dollar options.

In Saskatchewan, Manitoba and Alberta the individual's basic coverage is calculated on an area average

and then adjusted to take into account the insured's experience with crop production. To make these adjustments in coverage the crop insurance agencies have developed formulae that use the accumulated loss to premium ratio and the number of no loss years. However, the formula of each province is different and the variations that result are significant. The maximum reduction in basic coverage due to bad experience ranges from sixty percent in Alberta, to thirty percent in Saskatchewan to fifteen percent in Manitoba and the maximum increase in coverage for good experience ranges from fifteen percent in Saskatchewan to twenty-seven percent in Manitoba to thirty percent in Alberta.

The differences in premium discounts are not of the same magnitude but they are still significant. In Alberta where the insured receives a discount for good experience, for prompt payment and for a large insured acreage, the maximum discount on the premium is forty-five percent. This can be obtained after seven no-loss years on an insured acreage of over nine hundred acres. In Saskatchewan after eleven no-loss years and upon prompt payment, the maximum premium discount is fifty-five percent. In Manitoba the maximum premium discount is the gross premium less five percent on units of three hundred acres or more less forty percent of the balance after nine no-loss years, or a total discount of forty-three percent of the gross premium.

The final area of variation between these programs that we shall consider here is perhaps the most important—the variation in dollar value options. Crop insurance is a production guarantee and it is based on losses in bushels or pounds not in value. However, because indemnities cannot be paid in kind and because premiums must be calculated on value and further because the agencies like to encourage maximum producer participation by having flexible programs, each year values are set for each crop for the purposes of calculating premiums and indemnities and to allow producers a choice of coverage. In recent years the dollar values or unit prices in the Prairie region have begun to differ considerably and this has resulted in an imbalance in the choices available to producers, as the following table illustrates.

Unit Prices on Selected Crops

Crop	Manitoba		Saskatchewan		Alberta	
	1974	1975	1974	1975	1974	1975
Spring Wheat	\$1.50	\$1.85	\$1.50	\$1.50	\$1.50	\$1.50
	\$2.25	\$2.75	\$2.25	\$2.25	\$2.50	\$2.50
						\$3.50
Oats	\$.60	\$.75	\$.50	\$.50	\$.60	\$.60
	\$1.00	\$1.25	\$1.00	\$1.00	\$.90	\$.90
						\$1.20
Barley	\$.85	\$1.05	\$.90	\$.90	\$.80	\$.80
	\$1.40	\$1.75	\$1.40	\$1.40	\$1.40	\$1.40
						\$2.00

Fall Rye	\$.94	\$1.20	\$.90	\$.90	\$1.00	\$1.00
	\$1.50	\$1.85	\$1.40	\$1.40		\$1.75
						\$2.25
Rapeseed	\$2.00	\$2.50	\$2.00	\$2.00	\$2.00	\$2.00
	\$3.00	\$3.75	\$3.00	\$3.00	\$3.00	\$3.00
						\$5.00
Flaxseed	\$2.25	\$2.25	\$2.50	\$2.50	\$2.00	\$2.00
	\$3.00	\$5.00	\$3.50	\$3.50	\$3.00	\$3.00
						\$5.00

We have discussed these variations in the crop insurance programs of the Prairie region only briefly. However, it is clear that the farmers of each Prairie province do not have access to a crop insurance program that is in these three important aspects the same as that available in the other two provinces even though the crops, the climate, the farming practices, the costs of production and the markets of the producers in all three provinces are quite similar.

These differences between programs affect farmers differently. For example the recently instituted higher third dollar option in Alberta provides to new farmers with high fixed costs and to farmers using inputs intensively a protection that is not available to farmers in Saskatchewan or Manitoba. And the fifteen percent maximum on the reduction of coverage for producers with a continuing record of loss years and high loss to premium ratios provides a much higher level of coverage to producers in Manitoba than is available to producers with a similar record in either Saskatchewan or Alberta.

These comparisons are not intended as criticism but as examples of the Committee's point that there are wide variations between the programs that the Committee believes to be unjustified and unnecessary. Your Committee therefore recommends:

That within regions of similar soils, climate, and production practices, it is desirable that the producers of a crop should have access to crop insurance which is

essentially the same, especially in the important areas of minimum and maximum coverage levels, premium discounts and dollar value options;

That where there is not a uniformity in the crop insurance offered to producers within the same region that the Director of Crop Insurance for Canada undertake to encourage the crop insurance agencies of the provinces in that region to harmonize their programs and to provide equality of access to a uniformly high quality of crop insurance; and

That regional meetings of the boards of directors of crop insurance agencies be held from time to time to encourage the development of a uniformity of crop insurance coverage within a region.

Your Committee has held and will continue to hold hearings on this topic. When it began its examination the Committee invited the federal and provincial ministers of agriculture and the federal and provincial crop insurance agencies to appear before it to present their views on the present crop insurance program and to make any suggestions for improvements in it that they might care to make. In response to this invitation your Committee has heard from the Director of Crop Insurance for Canada, Mr. G. M. Gorrell, and from the crop insurance agencies for the Provinces of Alberta, Saskatchewan, Manitoba, New Brunswick, Nova Scotia and Prince Edward Island. In addition, the Minister of Agriculture of British Columbia, the Honourable David D. Stupick, has forwarded a brief to the Committee. The ministers of agriculture and the crop insurance agencies of the Provinces of Newfoundland, Ontario and Quebec declined the Committee's invitation to appear. The witnesses who have appeared and the briefs that have been received have provided the Committee with much valuable information and with many interesting suggestions for improvements in the crop insurance program. Your Committee wishes to thank the witnesses for their co-operation.

Respectfully submitted,

HAZEN ARGUE,
Chairman.



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A.D. 1975
Canada

Journals of the Senate

No. 112

Monday, 21st July, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(*Ottawa West*),
Cook,
Cottreau,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Fournier
(*de Lanaudière*),

Fournier
(*Restigouche-
Gloucester*),
Gouin,
Grosart,
Haig,
Hayden,
Hicks,
Inman,
Lafond,

Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
McElman,
McGrand,
McIlraith,
McNamara,

Michaud,
Molson,
Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Riley,
Robichaud,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, July 18, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Dinsdale has been substituted for that of Mr. Clarke (*Vancouver Quadra*) on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-1001, intituled: "An Act to provide an exception from the general law relating to marriage in the case of Richard Fritz and Marianne Strass", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Hayden, that the Bill be read the second time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*):

That Rule 95, whereby a private bill originating in the House of Commons shall not be considered by a committee until twenty-four hours from the date of referral, be suspended with respect to the Bill C-1001, intituled: "An Act to provide an exception from the general law relating to marriage in the case of Richard Fritz and Marianne Strass".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-70, intituled: "An Act to amend the Public Service Staff Relations Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill be read the second time now.

After debate,

The Honourable Senator Macdonald for the Honourable Senator Phillips moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the National Farm Products Marketing Council, including a statement of expenses, for the fiscal year ended March 31, 1975, pursuant to section 16 of the *Farm Products Marketing Agencies Act*, Chapter 65, Statutes of Canada, 1970-71-72.

Report of the Canadian Grain Commission for the year ended December 31, 1974, pursuant to section 14 of the *Canada Grain Act*, Chapter 7, Statutes of Canada, 1970-71-72.

Copies of Initial and Supplementary Federal-Provincial Agreements in respect of the establishment of a Comprehensive Marketing Program for the purpose of regulating the marketing of eggs in Canada.

Copies of National Energy Board Report, dated April 1975, entitled "Canadian Natural Gas, Supply and Requirements", together with a statement thereon by the Minister of Energy, Mines and Resources.

Copies of documents relating to the *Foreign Investment Review Act*, issued by the Department of Industry, Trade and Commerce, as follows:

- (1) *Foreign Investment Review (New Business) Regulations*
- (2) Guidelines concerning Related Business
- (3) New Principles of International Business Conduct.

Copies of Report of the Task Force on Energy Research Resources, dated April 1975, entitled "Science and Technology and Development to the Minister of Energy, Mines and nology for Canada's Energy Needs".

Copies of correspondence exchanged between the Prime Minister of Canada and the Premier of Manitoba, dated February 24 and March 21, 1975, relating to publicity arrangements in respect of shared-cost programming in Manitoba.

The Honourable Senator Deschatelets, P.C., from the Special Joint Committee on the National Capital Region presented its First Report as follows:—

THURSDAY, July 17, 1975.

The Special Joint Committee of the Senate and the House of Commons on the National Capital Region presents its First Report as follows:

Your Committee recommends that its quorum be fixed at eleven (11) members, provided that both Houses are represented, whenever a vote, resolution or other decision is taken, and that the Joint Chairmen be authorized to hold meetings to receive and authorize the printing of evidence, when a quorum is not present, so long as five (5) members are present, provided that both Houses are represented.

Respectfully submitted,

JEAN-PAUL DESCHATELETS,
Joint Chairman.

With leave of the Senate,

The Honourable Senator Deschatelets, P.C., moved, seconded by the Honourable Senator Hicks, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator McIlraith, P.C., for the adoption of the First Report of the Special Committee of the Senate on Science Policy,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1975
Canada

Journals of the Senate

No. 113

Tuesday, 22nd July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,	Cottreau,	Gouin,	Lamontagne,	Molson,
Basha,	Denis,	Graham,	Langlois,	Neiman,
Bélisle,	Deschatelets,	Greene,	Lapointe,	Norrie,
Benidickson,	Desruisseaux,	Grosart,	Lefrançois,	Paterson,
Bourget,	Eudes,	Haig,	Macdonald,	Perrault,
Buckwold,	Flynn,	Hayden,	McElman,	Petten,
Cameron,	Fournier	Hicks,	McGrand,	Riley,
Carter,	(<i>de Lanaudière</i>),	Inman,	McIlraith,	Robichaud,
Choquette,	Fournier	Lafond,	McNamara,	Thompson,
Connolly	(<i>Restigouche-</i>	Laird,	Michaud,	Yuzyk.
(<i>Ottawa West</i>),	<i>Gloucester</i>),			
Cook,				

PRAYERS

TUESDAY, July 22, 1975

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, July 21, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Baker (*Grenville-Carleton*) has been substituted for that of Mr. Fraser on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Statement concerning the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders made to the House of Commons on July 21, 1975, by the Secretary of State for External Affairs.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois:

That the Statement concerning the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders made to the House of Commons on July 21, 1975, by the Secretary of State for External Affairs, be printed as an Appendix to the Debates of the Senate of this day.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-8, intituled: "An Act to establish a national petroleum company", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Cook moved, seconded by the Honourable Senator Paterson, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Special Senate Committee on Science Policy for the proposed expenditures of the said Committee on Science Policy respecting the holding of a Special Meeting to determine the feasibility of establishing a Commission on the Future as authorized by the Senate on the 21st November 1974. The said supplementary budget is as follows:

Professional and Other Services	\$6,225
All Other Expenditures	500
	<hr/>
	\$6,725

Respectfully submitted,

KEITH LAIRD,
Chairman

The Honourable Senator Laird, Deputy Chairman, from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill C-1001, intituled: "An Act to provide an exception from the general law relating to marriage in the case of Richard Fritz and Marianne Strass", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Hayden, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Macdonald resumed the debate on the motion of the Honourable Senator Buckwold, seconded by the Honourable Senator Carter, for the second reading of the Bill C-70, intituled: "An Act to amend the Public Service Staff Relations Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator McIlraith, P.C., for the adoption of the First Report of the Special Committee of the Senate on Science Policy.

After debate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 114

Wednesday, 23rd July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(Ottawa West),
Cook,
Cottreau,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Flynn,
Fournier
(de Lanaudière),

Fournier
(Madawaska-
Restigouche),
Fournier
(Restigouche-
Gloucester),
Graham,
Grosart,
Haig,
Hastings,
Hays,
Hicks,

Inman,
Lafond,
Laird,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McElman,
McGrand,
McNamara,
Michaud,

Molson,
Neiman.
Norrie,
O'Leary,
Paterson,
Perrault,
Petten,
Prowse,
Robichaud,
Thompson,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of correspondence exchanged between the Prime Minister of Canada and the President of the Quebec Association of Protestant School Boards, relating to a petition addressed to the Governor in Council regarding the Official Language Act of Quebec, dated February 14 and July 17, 1975.

Report on the Quinquennial Actuarial Examination of the Royal Canadian Mounted Police (Dependants) Pension Fund as at March 31, 1974, together with Treasury Board Order, dated July 10, 1975, pursuant to sections 56(3) and 57(3) of the *Royal Canadian Mounted Police Pension Continuation Act*, Chapter R-10, R.S.C., 1970.

Copies of a Report to the Canadian Egg Marketing Agency, dated July 4, 1975, entitled: "Provincial Models of the Farm-Gate Cost of Egg Production for Medium Size Producers".

Pursuant to the Order of the Day, the Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill C-70, intituled: "An Act to amend the Public Service Staff Relations Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Cameron, that the Bill C-8, intituled: "An Act to establish a national petroleum company", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill C-1001, intituled: "An Act to provide an exception from the general law relating to marriage in the case of Richard Fritz and Marianne Strass", be read the third time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator McIlraith, P.C., for the adoption of the First Report of the Special Committee of the Senate on Science Policy,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Norrie resumed the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

After debate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Petten, that further debate on

the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
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Journals of the Senate

No. 115

Thursday, 24th July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Fournier	Langlois,	Molson,
Basha,	Cottreau,	(<i>Madawaska-</i>	Lapointe,	Neiman,
Beaubien,	Davey,	<i>Restigouche</i>),	Lefrançois,	Norrie,
Bélisle,	Denis,	Graham,	Macdonald,	Perrault,
Benidickson,	Desruisseaux,	Grosart,	Macnaughton,	Petten,
Cameron,	Eudes,	Haig,	McElman,	Prowse,
Carter,	Flynn,	Hastings,	McGrand,	Riel,
Choquette,	Forsey,	Hicks,	McIlraith,	Riley,
Connolly	Fournier	Inman,	McNamara,	Robichaud,
(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Lafond,	Michaud,	Thompson,
		Lamontagne,	Molgat,	Yuzyk.

PRAYERS.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Denis, P.C., seconded by the Honourable Senator Fournier (*de Lanaudière*), for the third reading of the Bill C-1001, intituled: "An Act to provide an exception from the general law relating to marriage in the case of Richard Fritz and Marianne Strass".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lamontagne, P.C. seconded by the Honourable Senator McIlraith, P.C., for the adoption of the First Report of the Special Committee of the Senate on Science Policy.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 116

Friday, 25th July, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Basha,
Beaubien,
Bélisle,
Benidickson,
Carter,
Connolly
(Ottawa West),
Cook,
Cottreau,

Denis,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Graham,
Greene,
Grosart,
Hastings,
Hicks,
Inman,
Lafond,
Lamontagne,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
McGrand,
McIlraith,
McNamara,
Michaud,

Neiman,
Paterson,
Perrault,
Petten,
Prowse,
Robichaud,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill S-28, intituled: "An Act respecting The Royal Canadian Legion",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

A Message was brought from the House of Commons by their Clerk to return the Bill S-26, intituled: "An Act respecting Alliance Security & Investigation, Ltd",

And to acquaint the Senate that the Commons have passed this Bill with one amendment to which they desire the concurrence of the Senate.

The amendment was then read by the Clerk Assistant as follows:—

Clause 3

Renumber the present Subclause (2) as Subclause (3).

Add immediately after line 5, on page 2, the following new Subclause:

"(2) The Company shall not carry on any business until after it has applied for and has been granted a certificate by the Minister of Consumer and Corporate Affairs to the effect that its name is not confusingly similar to that of another company incorporated or carrying on business in Canada."

With leave of the Senate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that the amendment be concurred in now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have agreed to the amendment made by the Commons to this Bill, without amendment.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of agreements made under the *Agricultural Products Co-operative Marketing Act* for the fiscal year ended March 31, 1975, pursuant to section 7 of the said Act, Chapter A-6, R.S.C., 1970.

Report on operations under the *Regional Development Incentives Act* for the month of March 1975 pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

The Honourable Senator Langlois, Acting Chairman, from the Standing Committee on Internal Economy,

Budgets and Administration, tabled the following Report:—

FRIDAY, July 25, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Special Committee of the Senate on Science Policy with respect to its consideration of Canadian government and other expenditures on scientific activities and matters related thereto, as authorized by the Senate on the 24th July, 1975. The said budget is as follows:

Professional and Other Services	\$50,464
Information and Printing	30,000
All Other Expenditures	3,200
	<hr/>
	\$83,664

Respectfully submitted,

LEOPOLD LANGLOIS,
Acting Chairman

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the name of the Honourable Senator Robichaud be substituted for that of the Honourable Senator McElman on the list of Senators serving on the Special Joint Committee on the National Capital Region; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Wednesday next, 30th July, 1975, at eleven o'clock in the forenoon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 117

Wednesday, 30th July, 1975

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE. Speaker.

The Members convened were:

The Honourable Senators

Basha,	Croll,	Fournier	Lafond,	Neiman,
Beaubien,	Denis,	(<i>Restigouche-</i>	Laird,	O'Leary,
Bélisle,	Deschatelets,	<i>Gloucester</i>),	Langlois,	Paterson,
Bourget,	Desruisseaux,	Graham,	Lapointe,	Perrault,
Carter,	Eudes,	Greene,	Macnaughton,	Petten,
Connolly	Flynn,	Grosart,	McIlraith,	Prowse,
(<i>Ottawa West</i>),	Forsey,	Hayden,	McNamara,	Robichaud.
Cook,	Fournier	Hicks,	Molgat,	Rowe,
Cottreau,	(<i>de Lanaudière</i>),	Inman,	Molson,	Stanbury,
				Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-66, intituled: "An Act to amend the Excise Tax Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Stanbury, that the Bill be read a second time later this day.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Cape Breton Development Corporation, including its financial statements and Auditor's Report, for the fiscal year ended March 31, 1975, pursuant to section 33 of the *Cape Breton Development Corporation Act*, Chapter C-13, R.S.C., 1970.

Report of the National Harbours Board, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to section 32 of the *National Harbours Board Act*, Chapter N-8, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of Fourth Report of the Advisory Group on Executive Compensation in the Public Service, dated April 1975.

Copies of Agreement between the International Atomic Energy Agency and the Government of the Republic of Argentina for the Application of Safeguards to the Embalse Power Reactor Facility. (*English text*).

Statement showing Classification of Deposit Liabilities Payable in Canadian Currency of the Chartered Banks of Canada as at April 30, 1975, pursuant to section 119(1) of the *Bank Act*, Chapter B-1, R.S.C., 1970.

Report of Canadian Overseas Telecommunication Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 16 of the *Canadian Overseas Telecommunication Corporation Act*, Chapter C-11, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Pursuant to Order, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Greene, P.C., that the Bill C-66, intituled: "An Act to amend the Excise Tax Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Greene, P.C., that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately four o'clock p.m., it was—

Resolved in the affirmative. 12.55 p.m.

The sitting of the Senate was resumed. 4.00 p.m.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-66, intituled: "An Act to amend the Excise Tax Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Greene, P.C., that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker informed the Senate that a communication had been received from the Assistant Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

JULY 30, 1975

Madam,

I have the honour to inform you that the Honourable Wilfred Judson, Puisne Judge of the Supreme Court

of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 30th day of July, at 4.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,

Madam,

Your obedient servant,

ROGER de C. NANTEL

Assistant Secretary to the Governor General.

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday, 21st October, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—

Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately four forty o'clock p.m., it was—

Resolved in the affirmative. 4.20 p.m.

The sitting of the Senate was resumed. 4.50 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Wilfred Judson, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Honourable the Speaker said—

"Honourable Members of the Senate:

Members of the House of Commons:

I have the honour to inform you that His Excellency the Governor General has been pleased to cause Letters Patent to be issued under His Sign Manual and Signet constituting the Honourable Wilfred Judson, Puisne Judge of the Supreme Court of Canada, his Deputy, to do in His Excellency's name all acts on his part necessary to be done during His Excellency's pleasure."

The said Commission was then read by the Clerk Assistant as follows:—

CANADA

JULES LÉGER
(G.S.)

BY HIS EXCELLENCY the Right Honourable JULES LÉGER, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Governor General and Commander-in-Chief of Canada.

TO THE HONOURABLE WILFRED JUDSON, a Puisne Judge of the Supreme Court of Canada,

GREETING:

KNOW YOU that being well assured of your loyalty, fidelity and capacity, I, the Right Honourable Jules Léger, Governor General of Canada, under and by virtue of and in pursuance of the power and authority vested in me by the Commission of Her Majesty Queen Elizabeth II, under the Great Seal of Canada, dated October 5, 1973, constituting and appointing me to be Governor General of Canada do hereby nominate, constitute and appoint you the said Wilfred Judson, to be my Deputy within Canada and in that capacity to exercise, subject to any limitations or directions from time to time expressed or given by Her Majesty, all the powers, authorities and functions vested in and of right exercisable by me as Governor General, saving and excepting the power of dissolving the Parliament of Canada.

PROVIDED ALWAYS that the appointment of my said Deputy shall not affect the exercise of any such power, authority or function by me, the said the Right Honourable Jules Léger, in person.

AND PROVIDED ALWAYS, that you the said Wilfred Judson, shall, during your continuance as my Deputy obey all such orders and instructions as you shall from time to time receive from me.

GIVEN under my hand and seal at Ottawa, this fourteenth day of January in the year of Our Lord

one thousand nine hundred and seventy-four and in the twenty-second year of Her Majesty's Reign.

BY COMMAND,

P. M. PITFIELD,
Deputy Registrar General of Canada.

Ordered, That the commission be placed upon the Journals.

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to establish a national petroleum company

An Act to amend the Excise Tax Act

An Act to amend the Agricultural Stabilization Act

An Act to amend the Prairie Grain Advance Payments Act, No. 2

An Act to amend the Federal-Provincial Fiscal Arrangements Act, 1972

An Act to amend certain statutes to provide equality of status thereunder for male and female persons

An Act to amend the Public Service Staff Relations Act

An Act to amend the Olympic (1976) Act

An Act to amend the Privileges and Immunities (International Organizations) Act

An Act to amend the Customs Tariff, (No. 3)

An Act to provide an exception from the general law relating to marriage in the case of Richard Fritz and Marianne Strass

An Act to incorporate the Canadian Commercial and Industrial Bank

An Act respecting Alliance Security & Investigation, Ltd.

An Act respecting The Royal Canadian Legion.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 118

Tuesday, 21st October, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Fournier	Lefrançois,	Prowse,
Barrow,	Côté,	(<i>Restigouche-</i>	Macdonald,	Quart,
Basha,	Croll,	<i>Gloucester</i>),	Manning,	Riel,
Beaubien,	Denis,	Giguère,	McDonald,	Robichaud,
Bélisle,	Desruisseaux,	Godfrey,	McElman,	Rowe,
Benidickson,	Eudes,	Goldenberg,	McIlraith,	Smith (<i>Colchester</i>),
Blois,	Everett,	Graham,	McNamara,	Smith (<i>Queens-</i>
Bonnell,	Flynn,	Grosart,	Molson,	<i>Shelburne</i>),
Bourget,	Forsey,	Hayden,	Neiman,	Sparrow,
Burchill,	Fournier	Lafond,	Norrie,	Stanbury,
Cameron,	(<i>de Lanaudière</i>),	Laird,	Paterson,	Sullivan,
Carter,	Fournier	Lang,	Perrault,	Thompson,
Choquette,	(<i>Madawaska-</i>	Langlois,	Petten,	van Roggen,
Connolly	<i>Restigouche</i>),	Lapointe,	Phillips,	Walker,
(<i>Ottawa West</i>),				Williams.

PRAYERS.

The Honourable the Speaker informed the Senate that the Clerk of the Senate had received a Certificate from the Registrar General of Canada showing that George Isaac Smith had been summoned to the Senate.

The Honourable the Speaker informed the Senate that there was a Senator without, waiting to be introduced.

The Honourable Senator Smith was introduced between the Honourable Senator Flynn, P.C., and the Honourable Senator Blois, and having presented Her Majesty's Writ of Summons it was read by the Clerk Assistant, as follows:—

CANADA

JULES LÉGER
(G.S.)

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

TO

Our Trusty and Well-beloved
GEORGE ISAAC SMITH,
Esquire,

of the City of Truro, in the Province of Nova Scotia,

GREETING:

KNOW YOU, that as well for the especial trust and confidence We have manifested in you, as for the purpose of obtaining your advice and assistance in all weighty and arduous affairs which may the State and Defence of Canada concern, We have thought fit to summon you to the Senate of Canada.

AND WE do command you, that all difficulties and excuses whatsoever laying aside, you be and appear for the purposes aforesaid, in the Senate of Canada at all times whensoever and wheresoever Our Parliament may be in Canada convoked and holden, and this you are in no wise to omit.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.

WITNESS: Our Right Trusty and Well-beloved Jules Léger, Chancellor and Principal Companion of Our Order of Canada, Chancellor and Commander of Our Order of Military Merit upon whom We have conferred Our Canadian Forces' Decoration, Governor General and Commander-in-Chief of Canada.

AT OUR GOVERNMENT HOUSE, in Our City of Ottawa, this seventh day of August in the year of Our Lord one thousand nine hundred and seventy-five and in the twenty-fourth year of Our Reign.

BY COMMAND,

ANDRÉ OUELLET,
Registrar General of Canada.

Ordered, That the Writ be placed upon the Journals.

The Honourable Senator Smith came to the Table and took and subscribed the Oath prescribed by law, which was administered by the Clerk of the Senate, the Commissioner appointed for that purpose, and took his seat as a Member of the Senate.

The Honourable the Speaker informed the Senate that the Honourable Senator Smith had made and subscribed the Declaration of Qualification required of him by *The British North America Act, 1867*, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said Declaration.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, October 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Lefebvre has been substituted for that of Mr. Goodale on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, October 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Portelance has been substituted for that of Mr. Rompkey on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, October 16, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Brewin has been substituted for that of Mr. Orlikow on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, October 16, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Stollery has been substituted for that of Miss Bégin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-2, intituled: "An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copy of Ordinance, Chapter 1, passed by the Council of the Northwest Territories during its 55th Session and assented to May 2, 1975, pursuant to section 16(1) of the *Northwest Territories Act*, Chapter N-22, R.S.C., 1970, together with copy of Order in Council P.C. 1975-1417, dated June 17, 1975.

Report of the Canadian Dairy Commission, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 22 of the *Canadian Dairy Commission Act*, Chapter C-7, R.S.C., 1970.

Report of the number and amount of Loans to Immigrants made under section 65(1) of the *Immigration Act* for the fiscal year ended March 31, 1975, pursuant to section 65(6) of the said Act, Chapter I-2, R.S.C., 1970.

Report on the administration of the *Canada Student Loans Act* for the loan year ended June 30, 1974, pursuant to section 18 of the said Act, Chapter S-17, R.S.C., 1970.

Report on operations under the *Regional Development Incentives Act* for the months of April, May and June, 1975, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Revised Capital Budget of Central Mortgage and Housing Corporation for the year ending December 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, as approved by Order in Council P.C. 1975-2138, dated September 11, 1975.

Report of the Law Reform Commission of Canada for the year ended May 31, 1975, pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970.

Report on the administration of the *Emergency Gold Mining Assistance Act* for the fiscal year ended March 31, 1975, pursuant to section 10 of the said Act, Chapter E-5, R.S.C., 1970.

Report of activities under the *Prairie Farm Assistance Act* for the Crop Year ended July 31, 1974, pursuant to section 12 of the said Act, Chapter P-16, R.S.C., 1970.

Report on the administration of the *Canada Assistance Plan* for the fiscal year ended March 31, 1974, pursuant to section 19, Chapter C-1, R.S.C., 1970.

Reports of the Atlantic Pilotage Authority, the Laurentian Pilotage Authority, the Great Lakes Pilotage Authority, Ltd. and the Pacific Pilotage Authority, including accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to section 28 of the *Pilotage Act*, Chapter 52, Statutes of Canada, 1970-71-72.

Report of the Department of Transport containing a Statement of Wharf Revenue Receipts and a Statement of Harbour Dues for the fiscal year ended March 31, 1975, pursuant to section 14 of the *Government Harbours and Piers Act*, Chapter G-9, R.S.C., 1970.

Report of the Northern Canada Power Commission, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 24 of the *Northern Canada*

Power Commission Act, Chapter N-21, and section 75(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Fisheries Prices Support Board for the fiscal year ended March 31, 1975, pursuant to section 7 of the *Fisheries Prices Support Act*, Chapter F-23, R.S.C., 1970.

Report of operations under the *Canada Water Act* for the fiscal year ended March 31, 1975, pursuant to section 36 of the said Act, Chapter 5 (1st Supplement), R.S.C., 1970.

Copies of White Paper entitled "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975.

Copies of a statement, dated October 14, 1975, relating to federal measures to deal with mercury contamination.

Public Accounts of Canada, Volumes I, II and III, for the fiscal year ended March 31, 1975, pursuant to section 55(1) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of Order in Council P.C. 1975-2429, dated October 14, 1975, appointing the Honourable Jean-Luc Pepin and Mrs. Beryl Plumtre Commissioners under Part I of the *Inquiries Act* to the Interim Anti-Inflation Board, for the purpose of implementing an anti-inflation program.

Copies of Terms of Reference of the Committee appointed to study the operation of the Abortion Law.

Auditor General's Report to the Minister of Manpower and Immigration on the examination of the accounts and financial statements of the Unemployment Insurance Commission for the fiscal year ended March 31, 1975, pursuant to section 138 of the *Unemployment Insurance Act*, 1971, Chapter 48, Statutes of Canada, 1970-71-72.

Copies of a report by the Advisory Committee of the *Canada Pension Plan* respecting the rate of return on the Investment Fund of the said Plan, dated June 1975.

Capital Budget of Air Canada for the year ending December 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-2412, dated October 9, 1975, approving same.

Capital and Operating Budgets of the Canadian National Railways for the year ending December 31, 1975, pursuant to section 37(2) of the *Canadian National Railways Act*, Chapter C-10, and section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1975-2411, dated October 9, 1975, approving same.

Report on proceedings under the *Canada Labour Code* Part V (Industrial Relations) for the fiscal year ended March 31, 1975, pursuant to section 170 of the said Code, Chapter L-1, R.S.C., 1970.

Report of the Superintendent of Insurance for Canada, Volume I, Abstract of Statements of Insurance Companies in Canada, for the year ended December 31, 1974, pursuant to section 8 of the *Department of Insurance Act*, Chapter I-17, R.S.C., 1970.

The following petition was presented:—

By the Honourable Senator Barrow:

Of The Eastern Canada Savings and Loan Company, of the City of Halifax, in the Province of Nova Scotia, and Central & Nova Scotia Trust Company, of the said city; praying for the passing of an Act enabling them to amalgamate for the purpose of continuing thereafter as one corporate entity.

A question of a breach of privilege having been raised by the Honourable Senator Riel with respect to the unauthorized publication on Monday, 20th October, 1975, and Tuesday, 21st October, 1975, by Le Devoir and the Globe and Mail respectively, of excerpts from a confidential preliminary draft of a report of the Special Joint Committee of the Senate and the House of Commons on Immigration Policy,

After debate,

The Honourable the Speaker took the matter under advisement.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator McDonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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A.D. 1975
Canada

Journals of the Senate

No. 119

Wednesday, 22nd October, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Fournier	Lefrançois,	Quart,
Barrow,	Côté,	(<i>Restigouche-</i>	Macdonald,	Riel,
Basha,	Croll,	<i>Gloucester</i>),	Manning,	Robichaud,
Beaubien,	Davey,	Giguère,	McDonald,	Rowe,
Bélisle,	Denis,	Godfrey,	McElman,	Smith
Benidickson,	Deschatelets,	Goldenberg,	McIlraith,	(<i>Colchester</i>),
Blois,	Desruisseaux,	Graham,	McNamara,	Smith
Bonnell,	Eudes,	Greene,	Molson,	(<i>Queens-</i>
Bourget,	Everett,	Grosart,	Neiman,	<i>Shelburne</i>),
Buckwold,	Flynn,	Hayden,	Norrie,	Sparrow,
Burchill,	Forsey,	Inman,	O'Leary,	Stanbury,
Cameron,	Fournier	Lafond,	Paterson,	Sullivan,
Carter,	(<i>de Lanaudière</i>),	Laird,	Perrault,	Thompson,
Choquette,	Fournier	Lang,	Petten,	van Roggen,
Connolly	(<i>Madawaska-</i>	Langlois,	Phillips,	Walker,
(<i>Ottawa West</i>),	<i>Restigouche</i>),	Lapointe,	Prowse,	Williams.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, October 20, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Miss Bégin has been substituted for that of Mr. Stollery on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of National Revenue containing Tables and Statements relative to Customs, Excise and Taxation for the fiscal year ended March 31, 1975, pursuant to section 5 of the *Department of National Revenue Act*, Chapter N-15, R.S.C., 1970.

Report of the National Arts Centre Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 17 of the *National Arts Centre Act*, Chapter N-2, R.S.C., 1970.

Report of the Canadian Film Development Corporation, together with the Report of the Auditor General on its accounts and financial statements, for the fiscal year ended March 31, 1975, pursuant to section 20 of the *Canadian Film Development Corporation Act*, Chapter C-8, R.S.C., 1970.

Report respecting receipts and expenditures under Part V (Sick Mariners) of the *Canada Shipping Act* for the fiscal year ended March 31, 1975, pursuant to section 306 of the said Act, Chapter S-9, R.S.C., 1970. *Nil Return.*

The following petition was presented:—

By the Honourable Senator Connolly, P.C.:

Of IAC Limited, of the City of Toronto, in the Province of Ontario; praying to be incorporated under the name of "Continental Bank of Canada", and in French "Banque Continentale du Canada".

The following petition was read and received:—

Of The Eastern Canada Savings and Loan Company, of the City of Halifax, in the Province of Nova Scotia, and Central & Nova Scotia Trust Company, of the

said city; praying for the passing of an Act enabling them to amalgamate for the purpose of continuing thereafter as one corporate entity.

The Clerk of the Senate laid on the Table the seventh report of the Examiner of Petitions for Private Bills, as follows:—

WEDNESDAY, October 22, 1975.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his seventh report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of The Eastern Canada Savings and Loan Company, of the City of Halifax, in the Province of Nova Scotia, and Central & Nova Scotia Trust Company, of the said city; praying for the passing of an Act enabling them to amalgamate for the purpose of continuing thereafter as one corporate entity.

E. R. HOPKINS,
Examiner of Petitions for Private Bills.

The Honourable Senator Barrow presented to the Senate a Bill S-29, intituled: "An Act to enable The Eastern Canada Savings and Loan Company and Central & Nova Scotia Trust Company to amalgamate".

The Bill was read the first time.

The Honourable Senator Barrow moved, seconded by the Honourable Senator Graham, that the Bill be placed on the Orders of the Day for a Second reading on Friday next, 24th October, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Paterson, that the Bill C-2, intituled: "An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until Tuesday next, 28th October, 1975.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 120

Thursday, 23rd October, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Blois,
Bonnell,
Buckwold,
Burchill,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Croll,
Davey,
Denis,
Deschatelets,
Eudes,
Flynn,
Forsey,
Fournier,
(de Lanaudière),
Fournier,
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Giguère,
Godfrey,
Goldenberg,
Graham,
Greene,
Hayden,
Inman,
Lafond,
Laird,
Lang,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Manning,
McDonald,
McElman,
McIlraith,
McNamara,
Molgat,
Molson,
Neiman,
Norrie,
Perrault,
Petten,
Phillips,

Prowse,
Quart,
Riel,
Robichaud,
Rowe,
Smith,
(Colchester),
Smith
(Queens-
Shelburne),
Sparrow,
Stanbury,
van Roggen,
Walker,
Williams.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Auditor General's report to the Solicitor General on the examination of the accounts and financial statement of the Royal Canadian Mounted Police (Dependants) Pension Fund for the fiscal year ended March 31, 1975, pursuant to section 55(4) of the *Royal Canadian Mounted Police Pension Continuation Act*, Chapter R-10, R.S.C., 1970.

The following petition was read and received:

Of IAC Limited, of the City of Toronto, in the Province of Ontario; praying to be incorporated under the name of "Continental Bank of Canada", and in French "Banque Continentale du Canada".

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 28th October, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Paterson, for the second reading of the Bill C-2, intituled: "An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until Wednesday, 26th November, 1975.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable

Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until Wednesday, 26th November, 1975.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., called the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Bélisle, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 121

Tuesday, 28th October, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Benidickson,
Blois,
Bourget,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,
Côté,

Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Giguère,
Godfrey,
Goldenberg,
Hayden,
Hays,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,

Lapointe,
Lawson,
Lefrançois,
Macdonald,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Molson,
Neiman,
Perrault,
Petten,
Phillips,

Prowse,
Quart,
Robichaud,
Smith
(Colchester),
Smith
(Queens-
Shelburne),
Sparrow,
Stanbury,
Thompson,
Walker,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, October 23, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name Mr. Lachance has been substituted for that of Mr. Daudlin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, October 23, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name Mr. Daudlin has been substituted for that of Mr. Guay (*St. Boniface*) on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, October 24, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name Mr. Orlikow has been substituted for that of Mr. Brewin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, October 27, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name Mr. Stollery has

been substituted for that of Mr. Lachance on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-23, intituled: "An Act to provide for the payment of superannuation benefits to Lieutenant Governors", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 30th October, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Customs Convention on the International Transport of Goods under cover of TIR Carnets (with Protocol of Signature) (Amended text). Done at Geneva, January 15, 1975. Entered into force January 7, 1960. Canada's Instrument of Accession deposited November 26, 1974. Entered into force for Canada February 24, 1975.

Copies of Convention on International Liability for Damage caused by Space Objects. Done at London, Moscow and Washington March 29, 1972. In force September 1, 1972. Canada's Instrument of Accession deposited February 20, 1975. In force for Canada February 20, 1975.

Copies of Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) Weapons and their Destruction. Done at London, Moscow and Washington, April 10, 1972. Canada's Instruments of Ratification deposited at London, Moscow and Washington, September 18, 1972. Entered into force March 26, 1975.

Copies of General Agreement on Technical Cooperation between the Government of Canada and the Government of Colombia. Done at Bogota, November 17, 1972. Entered into force December 12, 1974.

Copies of Agreement between the Government of Canada and the Government of the United States of America for promotion of safety on the Great Lakes by means of radio. Done at Ottawa, February 26, 1973. Instruments of Ratification exchanged at Washington, May 6, 1974. Entered into force May 6, 1975.

Copies of Protocol relating to Refugee Seamen. Done at The Hague, June 12, 1973. Canada's Instrument of Acceptance deposited January 9, 1975. In force for Canada February 10, 1975.

Copies of Agreement on the Garp Atlantic Tropical Experiment (GATE) between the World Meteorological Organization, the Government of the Republic of Senegal and other Member States of the WMO participating in the experiment with related Protocol of execution. Agreement done at Geneva, June 27, 1973. Protocol done at Geneva, December 28, 1973. Agreement entered into force June 27, 1973. Protocol entered into force December 28, 1973. Agreement and Protocol entered into force for Canada June 18, 1974.

Copies of Air Transport Agreement between Canada and the Federal Republic of Germany. Ottawa, March 26, 1973. In force provisionally March 26, 1973. In force definitively February 18, 1975.

Copies of Agreement between Canada and the Kingdom of Denmark respecting Boundary Waters. Ottawa, December 17, 1973. Instruments of Ratification exchanged at Copenhagen, March 13, 1974. In force March 13, 1974.

Copies of Notes exchanged between the Governments of Canada and the Republic of Nicaragua to provide for the exchange of Third Party Communications between amateur radio stations of Canada and Nicaragua. San José, Costa Rica and Managua, Nicaragua, August 29 and December 20, 1973. In force January 19, 1974.

Copies of Notes exchanged between the Government of Canada and the Government of the Federal Republic of Germany concerning the training of Bundeswehr units in Canada (CFB Shilo). Ottawa, January 23, 1974. In force January 23, 1974. With effect from January 1, 1974.

Copies of Notes exchanged between the Government of Canada and the Government of Trinidad and Tobago, constituting an Agreement relating to Canadian investments in Trinidad and Tobago insured by the Government of Canada through its agent, the Export Development Corporation. Port of Spain, February 8, 1974. In force February 8, 1974.

Copies of Notes exchanged between the Governments of Canada and Honduras, constituting a reciprocal amateur radio operating Agreement. San José, Costa Rica and Tegucigalpa, Honduras, November 20, 1973 and February 27, 1974. In force March 14, 1974.

Copies of Notes exchanged between the Governments of Canada and Guyana, constituting an Agreement to provide for the exchange of Third Party Communications between amateur radio stations of Canada and Guyana. Georgetown, December 11, 1973 and February 26, 1974. In force March 28, 1974.

Copies of Agreement between the Government of Canada and the Government of France concerning Films and Film-Productions. Done at Ottawa, May 8, 1974. In force June 7, 1974.

Copies of Notes exchanged between the Government of Canada and the Government of the Republic of Senegal, constituting an Agreement concerning the applicability to Canada of GARP, and related Protocol of Execution. Dakar, May 3 and June 18, 1974. Entered into force June 18, 1974.

Copies of Development Co-operation Agreement between the Government of Canada and the Government of the Republic of Honduras. Done at Tegucigalpa, September 3, 1974. Instruments of Ratification exchanged at Tegucigalpa, February 18, 1975. Entered into force February 18, 1975.

Copies of Notes exchanged between the Government of Canada and the Government of Barbados, constituting an Interim Air Transport Agreement. Bridgetown, November 20, 1974. In force November 20, 1974.

Copies of Notes exchanged between the Governments of Canada and the United States of America, extending until June 30, 1976 the Project Skylab Agreement. Ottawa, September 30 and November 26, 1974. In force November 26, 1974.

Copies of Trade Agreement between the Governments of Canada and the Republic of Afghanistan. Kabul, November 27, 1974. In force December 27, 1974.

Copies of Notes exchanged between the Government of Canada and the Government of the United States of America, extending until June 30, 1977 the Agreement concerning the operation of Mobile Seismic Observatories (Project Vela Uniform). Ottawa, August 14 and December 19, 1974. Entered into force December 19, 1974. With effect from July 1, 1974.

Copies of Notes exchanged between the Governments of Canada and the United Republic of Tanzania, concerning liability for damages in connection with a Programme for Flight Training in Canada of Pilots of the Tanzania People's Defence Force. Ottawa, December 19, 1974 and January 2, 1975. In force January 2, 1975.

Copies of Notes exchanged between the Governments of Canada and the U.S.S.R. extending and amending the Agreement on Co-operation in Fisheries in the Northeastern Pacific Ocean off the coast of Canada signed January 22, 1971, as amended. Moscow, January 24, 1975. In force February 19, 1975.

Copies of Notes exchanged between the Governments of Canada and the U.S.S.R. extending the Agreement on Provisional Rules of Navigation and Fisheries Safety in the Northeastern Pacific Ocean off the coast of Canada signed January 22, 1971. Moscow, January 24, 1975. In force April 15, 1975.

Copies of Agreement between the Government of Canada and the Government of the Kingdom of Sweden concerning Defence Research, Development and Production (with Memorandum of Understanding). Done at Ottawa, February 3, 1975. Entered into force February 3, 1975.

Copies of Agreement between the Government of Canada and the Revolutionary Government of the Republic of Cuba, establishing a Development Line of Credit for Cuba (with Memorandum of Understanding). Done at Havana, March 18, 1975. Entered into force March 18, 1975.

Copies of Notes exchanged between the Government of Canada and the Government of the United States of America, extending the Agreement concerning Joint Participation in the Augmentor Wing Flight Test Project of November 10, 1970. Ottawa, December 5, 1974 and March 24, 1975. Entered into force March 24, 1975.

Copies of Agreement between Canada and the United States of America relating to the exchange of information on Weather Modification Activities. Washington, March 26, 1975. In force March 26, 1975.

Copies of Notes exchanged between the Government of Canada and the Government of Norway, amending the Agreement of July 15, 1971 concerning the conservation of seal stocks in the Northwest Atlantic. Ottawa, April 18 and 23, 1975. Entered into force April 23, 1975. With effect from March 15, 1975.

Copies of Notes exchanged between the Government of Canada and the Government of the United States of America, extending to April 24, 1976 the Agreement on Reciprocal Fishing Privileges in certain areas off their coasts signed June 15, 1973. Ottawa, April 24, 1975. Entered into force April 24, 1975.

Copies of Development Co-operation Agreement between the Government of Canada and the Government of Jamaica. Done at Kingston, Jamaica, May 5, 1975. Entered into force May 5, 1975.

Copies of Agreement between the Government of Canada and the Government of the Republic of Ghana, concerning the training in Canada of Personnel of the Armed Forces of Ghana. Accra, May 13, 1975. In force May 13, 1975.

Copies of Treaty on Extradition between Canada and the United States of America as amended by an exchange of Notes constituting a Treaty. Washington, December 3, 1971 and June 28 and July 9, 1974, respectively.

Report of the International Development Research Centre, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 22 of the *International Development Research Centre Act*, Chapter 21 (1st Supplement), R.S.C., 1970.

Report on the activities of the Food and Agriculture Organization (FAO) for the fiscal year 1974-75, pursuant to section 3 of the *Food and Agriculture Organization of the United Nations Act*, Chapter F-26, R.S.C., 1970.

Report of the Roosevelt Campobello International Park Commission, together with its financial statements cer-

tified by the Auditor General, for the year ended December 31, 1974, pursuant to section 7 of the *Roosevelt Campobello International Park Commission Act*, Chapter 19, Statutes of Canada, 1964-65.

Report on the administration of the *Industrial Research and Development Incentives Act* for the fiscal year ended March 31, 1975, pursuant to section 17 of the said Act, Chapter I-10, R.S.C., 1970.

Report of operations under the *Foreign Investment Review Act* for the fiscal year ended March 31, 1975, pursuant to section 30 of the said Act, Chapter 46, Statutes of Canada, 1973-74.

Report of the National Museums of Canada, including accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 22 of the *National Museums Act*, Chapter N-12, R.S.C., 1970.

The Clerk of the Senate laid on the Table the eighth report of the Examiner of Petitions for Private Bills, as follows:—

TUESDAY, October 28, 1975.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his eighth report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of IAC Limited, of the City of Toronto, in the Province of Ontario; praying that there be incorporated a corporation under the name of Continental Bank of Canada, in English, and under the name of Banque Continentale du Canada, in French.

E. R. HOPKINS,
Examiner of Petitions for Private Bills.

The Honourable Senator Connolly, P.C., presented to the Senate a Bill S-30, intituled: "An Act to incorporate Continental Bank of Canada".

The Bill was read the first time.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 30th October, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Stanbury for the Honourable Senator Riel, from the Special Joint Committee on Im-

migration Policy, presented its Second Report as follows:—

TUESDAY, October 28, 1975.

The Special Joint Committee of the Senate and of the House of Commons on Immigration Policy has the honour to present its Second Report as follows:

On March 3, 1975 and March 5, 1975, the House of Commons and the Senate, respectively, adopted a joint resolution which empowered your Committee to consider the Green Paper on Immigration Policy tabled by the Minister of Manpower and Immigration in the House of Commons on February 3, 1975, and tabled by the Leader of the Government in the Senate on February 4, 1975.

Your Committee is of the opinion that it will be unable to complete its inquiry within the time prescribed by its Order of Reference as amended on June 4, 1975. Your Committee recommends therefore that the date of submission of its report be extended until November 14, 1975.

Respectfully submitted,

MAURICE RIEL,
Joint Chairman.

With leave of the Senate,

The Honourable Senator Stanbury moved, seconded by the Honourable Senator Prowse, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the name of the Honourable Senator Fournier (*Madawaska-Restigouche*) be substituted for that of the Honourable Senator Yuzyk on the list of Senators serving on the Special Senate Committee on the Clerestory of the Senate Chamber.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois,

That the name of the Honourable Senator Smith (*Colchester*) be added to the list of Senators serving on the Standing Senate Committee on National Finance and the Standing Senate Committee on Transport and Communications.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the name of the Honourable Senator Smith (*Colchester*) be substituted for that of the Honourable Senator Quart on the list of Senators serving on the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator McDonald:

That the name of the Honourable Senator Deschatelets be removed from the list of Senators serving on the Special Senate Committee on the Clerestory of the Senate Chamber, the Standing Senate Committee on Foreign Affairs and the Standing Committee on Internal Economy, Budgets and Administration.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Barrow moved, seconded by the Honourable Senator Cottreau, that the Bill S-29, intituled: "An Act to enable The Eastern Canada Savings and Loan Company and Central & Nova Scotia Trust Company to amalgamate", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Barrow moved, seconded by the Honourable Senator Cottreau, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Cook, seconded by the Honourable Senator Paterson, for the second reading of the Bill C-2, intituled: "An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Cook moved, seconded by the Honourable Senator Burchill, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper, entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Forsey moved, seconded by the Honourable Senator Fournier (*Restigouche-Gloucester*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Hayden,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 122

Wednesday, 29th October, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Benidickson,
Blois,
Bourget,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(*Ottawa West*)
Cook,
Cottreau,
Croll,

Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),
Fournier
(*Madawaska-
Restigouche*),
Fournier
(*Restigouche-
Gloucester*),

Giguère,
Godfrey,
Goldenberg,
Graham,
Greene,
Hayden,
Hays,
Inman,
Lafond,
Lamontagne,
Lang,
Langlois,
Lapointe,
Lawson,
Lefrançois,

Macdonald,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Molgat,
Molson,
Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Phillips,

Prowse,
Quart,
Riley,
Robichaud,
Smith
(*Colchester*),
Smith
(*Queens-
Shelburne*),
Sparrow,
Stanbury,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Molson from the Standing Committee on Standing Rules and Orders presented a Report of the said Committee recommending certain amendments to the Rules of the Senate.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 521-526).

The Honourable Senator Molson moved, seconded by the Honourable Senator Desruisseaux, that the Report be taken into consideration on Wednesday next, 5th November, 1975.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Greene, P.C., moved, seconded by the Honourable Senator McIlraith, P.C.:

That the Senate offer congratulations to the young men and young women from all over Canada who so distinguished themselves at the recently concluded Pan American Games in Mexico, not only distinguishing themselves by the quality of their behaviour, but by their great success in winning more medals than have ever been won by a Canadian team before.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator McDonald:

That the name of the Honourable Senator Giguère be added to the list of Senators serving on the Standing Committee on Internal Economy, Budgets and Administration.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of

national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator McDonald, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 520.)

RULES OF THE SENATE

REPORT OF THE COMMITTEE ON STANDING RULES AND ORDERS

Wednesday, 29th October, 1975.

The Standing Committee on Standing Rules and Orders, having examined the Rules of the Senate pursuant to Rule 67(1)(e), recommends that the said Rules be amended as follows:

RECOMMENDED AMENDMENTS

1. In all cases not provided for in these rules, the customs, usages, forms and proceedings of either house of the Parliament of Canada shall, so far as practicable, be followed in the Senate or in any committee thereof.

3. Notwithstanding anything in these rules, any rule or part thereof may be suspended without notice by leave of the Senate, the rule or part thereof proposed to be suspended, and the reason for the proposed suspension, being distinctly stated.

6. These rules shall come into force on a day to be fixed by order of the Senate.

14. When the Senate adjourns, senators shall stand until the Speaker has left the chamber.

14A. (1) If, during any adjournment of the Senate, the Speaker is satisfied that the public interest requires that the Senate meet at a time earlier than that set forth in the motion for such adjournment, the Speaker may call such a meeting by sending a notice to each senator at the latest address of the senator filed with the Clerk of the Senate, informing the senator of the time of the meeting.

14A. (2) Non-receipt by a senator of the notice referred to in subsection (1) does not affect the validity of the notice.

(3) In the absence of the Speaker, or where the office of Speaker is vacant, the Clerk of the Senate may act for the purposes of this rule.

15. The Speaker shall preserve order and decorum, and shall decide points of order, subject to an appeal to the Senate. In explaining a point of order or practice the Speaker shall state the rule or authority applicable to the case. When the Speaker rises, all other Senators shall remain seated or shall resume their seats.

28. A Senator shall not speak more than once to a question before the Senate except in explanation of a material part of his speech in which he may have been misunderstood, and then he shall not introduce new matter.

29. A Senator who has moved the second reading of a bill or made a substantive motion or an inquiry, shall have the right of final reply.

PRESENT RULES

1. In all cases not provided for hereinafter, or by sessional or other orders, the standing orders, the rules, usages, forms and proceedings of the Parliament of Canada, in force up to the day on which the present rules go into operation, shall be followed so far as they can be applied to the proceedings of the Senate or any committee thereof.

3. Any rule or part thereof may be suspended without notice by leave of the Senate, the rule or part thereof proposed to be suspended, and the reason for the proposed suspension, being distinctly stated.

6. These rules shall go into operation on a day to be fixed by order of the Senate.

14. When the Senate adjourns, senators shall keep their places until the Speaker has left the chamber.

NEW RULE

15. The Speaker shall preserve order and decorum, and shall decide points of order, subject to an appeal to the Senate. In explaining a point of order or practice he shall state the rule or authority applicable to the case.

28. A senator shall not speak twice to a question before the Senate except in explanation of a material part of his speech in which he may have been misunderstood, and then he shall not introduce new matter.

29. A senator who has moved the second reading of a bill or made a substantive motion shall have a right of final reply, but not otherwise.

32. A debate shall not be in order on an oral question, but brief explanatory remarks may be made by the senator making the interrogation and by the senator answering the same. Observations upon any such answer shall not be allowed.

34A. The content of a speech made in the House of Commons in the current session may be summarized, but it is out of order to quote from such a speech unless it be a speech of a Minister of the Crown in relation to government policy. A Senator may always quote from a speech made in a previous session.

36. (1) When a question is under debate, a motion shall not be received unless it is a motion to amend the question, to refer the question to a committee, to adjourn the debate, to postpone the debate to a certain day, for the previous question, or for the adjournment of the Senate.

36. (3) The previous question refers to a motion "that the original question be now put." Such a motion may be made on a main motion, or on a main motion as amended, but not on a motion for an amendment. When such a motion is put by the Speaker no motion to amend it is in order. It is debatable and senators who have spoken on the main motion or on the main motion as amended may speak again to the previous question but may not move or second it. If the motion for the previous question carries, the Speaker must immediately put the original question without further debate. If the motion for the previous question is defeated, the main motion is dropped from the orders of the day. The previous question may not be moved in committee of the whole or in any select committee.

37. A senator called to order by the Speaker shall discontinue his remarks and may not speak further, except on the point of order, until the point of order has been decided.

42. The Speaker shall stand head uncovered when speaking to the Senate, and shall leave the chair when participating in a debate on any question before the House but not when addressing the House on a point of order or a question of privilege.

45. (1)

(f) for the adoption of a report from any standing committee;

46. (f) for the adjournment of the Senate, while a matter is under discussion;

(g) for the adjournment of the Senate for the purposes of raising a matter of urgent public importance (which the mover shall state on rising to speak) before the House proceeds to the orders of the day;

French version only—

(g) l'ajournement du Sénat afin de permettre que soit étudiée, avant que la Chambre passe à l'ordre du jour, une affaire urgente d'intérêt public (dont l'auteur de la motion doit exposer la nature dès qu'il se lève pour prendre la parole);

French version only—

(s) d'autres motions purement courantes ou non contentieuses.

32. A debate shall not be in order on a mere interrogation, but brief explanatory remarks may be made by the senator making the interrogation and by the senator answering the same. Observations upon any such answer shall not be allowed.

NEW RULE

36. (1) When a question is under debate a motion shall not be received unless to amend it, to refer it to a committee, to postpone it to a certain day, for the previous question, or for the adjournment of the Senate.

36. (3) The previous question refers to a motion "that the original question be now put." Such a motion may be made on a main motion, or on a main motion as amended, but not on a motion for an amendment. When such a motion is put by the Speaker no motion to amend it is in order. It is debatable and senators who have spoken on the main motion or on the main motion as amended may speak again to the previous question but may not move or second it. If the motion for the previous question carries, the Speaker must immediately put the original question without further debate. If it is defeated, the main motion is dropped from the orders of the day. The previous question may not be moved in committee of the whole or in any select committee.

37. A senator called to order shall sit down and shall not proceed until the point of order has been decided.

42. The Speaker shall stand uncovered when speaking to the Senate, and shall leave the chair when he proposes to address the House on any question other than a point of order or question of privilege.

45. (1)

(f) for the adoption of a report, not merely formal in its character, from any standing committee;

46. (f) for the adjournment of the senate, while a question is under discussion;

(g) for the adjournment of the Senate for the purposes of raising a question of urgent public importance (which the mover shall state on rising to speak) before the House proceeds to the orders of the day;

French version only—

(g) l'ajournement de la séance afin de permettre que soit étudiée, avant que la Chambre passe à l'ordre du jour, une question urgente d'intérêt public (dont l'auteur de la motion doit exposer la nature dès qu'il se lève pour prendre la parole);

French version only—

(s) d'autres questions purement courantes ou non contentieuses.

54. (1) In any bill originating in the Senate amending any statute or part thereof, the amendments shall be made by clauses that re-enact the section, subsection or other minor division as it is amended and shall not ordinarily be made by clauses that add or leave out words or substitute words for others.

(2) The text of any such bill shall indicate a comparative print of that part of the bill making the amendment and of the statute or part thereof proposed to be amended, showing by italics, parallel columns or other appropriate typographical devices the omissions and insertions that would be made by the bill if enacted as proposed.

(3) An explanatory note outlining briefly the reasons for each amendment shall accompany the bill. Whenever practicable an explanatory note shall be printed on the right-hand page of the bill in paragraphs opposite the amendments referred to and numbered correspondingly.

(4) This rule shall as far as practicable apply to the reprinting of any such bill.

56. The principle of a bill is usually debated at its second reading.

66. (1) At the commencement of each session a committee of selection consisting of nine senators named by the Senate shall be appointed whose duty it shall be to nominate the senators to serve on the several select committees.

67. (1)

(f) The Committee on Internal Economy, Budgets and Administration, composed of twenty members, five of whom shall constitute a quorum, which is empowered on its own initiative to consider any matter relating to the internal economy of the Senate, including budgetary matters and administration generally, and to report the result of such consideration to the Senate.

English version only—

67. (k)

(i) banking, insurance, trust and loan companies, credit societies, caisses populaires and small loans companies;

67. (1)

(g) The Senate Committee on Foreign Affairs composed of twenty members, five of whom shall constitute a quorum, to which shall be referred, if there is a motion to that effect, bills, messages, petitions, inquiries, papers and other matters relating to foreign and commonwealth relations generally, including:

- (i) treaties and international agreements;
- (ii) external trade;
- (iii) foreign aid;
- (iv) defence;
- (v) immigration;
- (vi) territorial and offshore matters.

54. (1) All bills introduced in the Senate shall be in the English and French languages.

(2) In a bill amending any statute or part thereof, the amendments shall be made by clauses which re-enact the section, subsection or other minor division as it is amended and shall not ordinarily be made by clauses which add or leave out words or substitute words for others.

(3) The text of the bill shall indicate a comparative print of that part of the bill making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns or other appropriate typographical devices the omissions and insertions which would be made by the bill if enacted as proposed.

(4) A memorandum by the draftsman explaining briefly the reasons for each amendment shall accompany the bill. Whenever practicable the memorandum shall be printed on the right-hand page of the bill in paragraphs opposite the amendments referred to and numbered correspondingly.

(5) This rule shall as far as practicable apply to the reprinting of bills.

56. The principle of a bill is debated at its second reading.

66. (1) At the commencement of each session a committee of selection consisting of nine senators named by the Senate shall be appointed whose duty it shall be to nominate the senators to serve on the several standing committees.

67. (1)

(f) The Committee on Internal Economy, Budgets and Administration, composed of twenty members, five of whom shall constitute a quorum, to which shall be referred on motion all bills, messages, petitions, inquiries, papers and other matters relating to internal economy, budgetary matters and administration generally.

67. (k)

(i) banking, insurance, trust and loan companies, credit societies, caisses populaires and small loans;

67. (1)

(g) The Senate Committee on Foreign Affairs, composed of twenty members, five of whom shall constitute a quorum, to which shall be referred on motion all bills, messages, petitions, inquiries, papers and other matters relating to foreign and commonwealth relations generally, including:

- (i) treaties and international agreements;
- (ii) external trade;
- (iii) foreign aid;
- (iv) defence;
- (v) immigration;
- (vi) territorial and offshore matters.

67. (1)

(h) The Senate Committee on National Finance, composed of twenty members, five of whom shall constitute a quorum, to which, if there is a motion to that effect, shall be referred bills, messages, petitions, inquiries, papers and other matters relating to federal estimates generally, including:

- (i) national accounts and the report of the Auditor General;
- (ii) government finance.

67. (1)

(i) The Senate Committee on Transport and Communications composed of twenty members, five of whom shall constitute a quorum, to which, if there is a motion to that effect, shall be referred bills, messages, petitions, inquiries, papers and other matters relating to transport and communications generally, including:

- (i) transport and communications by land, air, water, and space, whether by radio, telephone, telegraph, wire, cable, microwave, wireless, television, satellite, broadcasting, postal communications or any other form, method or means of communications or transport;
- (ii) tourist traffic;
- (iii) common carriers;
- (iv) pipelines, transmission lines and energy transmission;
- (v) navigation, shipping and navigable waters.

67. (1)

(j) The Senate Committee on Legal and Constitutional Affairs, composed of twenty members, five of whom shall constitute a quorum, to which, if there is a motion to that effect, shall be referred bills, messages, petitions, inquiries, papers and other matters relating to legal and constitutional matters generally, including:

- (i) federal-provincial relations;
- (ii) administration of justice, law reform and all matters related thereto;
- (iii) the judiciary;
- (iv) all essentially juridical matters;
- (v) private bills not otherwise specifically assigned to another committee, including those related to marriage and divorce.

67. (1)

(k) The Senate Committee on Banking, Trade and Commerce, composed of twenty members, five of whom shall constitute a quorum, to which, if there is a motion to that effect, shall be referred bills, messages, petitions, inquiries, papers and other matters relating to banking, trade and commerce generally, including:

- (i) banking, insurance, trust and loan companies, credit societies, caisses populaires and small loans companies;
- (ii) customs and excise;
- (iii) taxation legislation;
- (iv) patents and royalties;
- (v) corporate and consumer affairs;
- (vi) bankruptcy;
- (vii) natural resources and mines.

67. (1)

(h) The Senate Committee on National Finance, composed of twenty members, five of whom shall constitute a quorum, to which shall be referred on motion all bills, messages, petitions, inquiries, papers and other matters relating to federal estimates generally, including:

- (i) national accounts and the report of the Auditor General;
- (ii) government finance.

67. (1)

(i) The Senate Committee on Transport and Communications, composed of twenty members, five of whom shall constitute a quorum, to which shall be referred on motion all bills, messages, petitions, inquiries, papers and other matters relating to transport and communications generally, including:

- (i) transport and communications by land, air, water, and space, whether by radio, telephone, telegraph, wire, cable, microwave, wireless, television, satellite, broadcasting, postal communications or any other form, method or means of communications or transport;
- (ii) tourist traffic;
- (iii) common carriers;
- (iv) pipelines, transmission lines and energy transmission;
- (v) navigation, shipping and navigable waters.

67. (1)

(j) The Senate Committee on Legal and Constitutional Affairs, composed of twenty members, five of whom shall constitute a quorum, to which shall be referred on motion all bills, messages, petitions, inquiries, papers and other matters relating to legal and constitutional matters generally, including:

- (i) federal-provincial relations;
- (ii) administration of justice, law reform and all matters related thereto;
- (iii) the judiciary;
- (iv) all essentially juridical matters;
- (v) private bills not otherwise specifically assigned to another committee, including those related to marriage and divorce.

67. (1)

(k) The Senate Committee on Banking, Trade and Commerce, composed of twenty members, five of whom shall constitute a quorum, to which shall be referred on motion all bills, messages, petitions, inquiries, papers and other matters relating to banking, trade and commerce generally, including:

- (i) banking, insurance, trust and loan companies, credit societies, caisses populaires and small loans;
- (ii) customs and excise;
- (iii) taxation legislation;
- (iv) patents and royalties;
- (v) corporate and consumer affairs;
- (vi) bankruptcy;
- (vii) natural resources and mines.

67. (1)

(1) The Senate Committee on Health, Welfare and Science, composed of twenty members, five of whom shall constitute a quorum, to which, if there is a motion to that effect, shall be referred bills, messages, petitions, inquiries, papers and other matters relating to health, welfare and science generally, including:

- (i) veterans affairs;
- (ii) Indian and Eskimo affairs;
- (iii) health and welfare;
- (iv) social and cultural matters;
- (v) pensions;
- (vi) labour legislation;
- (vii) aging.

67. (1)

(m) The Senate Committee on Agriculture, composed of twenty members, five of whom shall constitute a quorum, to which, if there is a motion to that effect, shall be referred bills, messages, petitions, inquiries, papers and other matters relating to agriculture.

68. The senators occupying the recognized positions of Leader of the Government and Leader of the Opposition in the Senate shall be ex officio members, in addition to the number of appointed senators, of all standing committees of the Senate and of the Committee of Selection.

69. The Clerk of the Senate shall, as soon as practicable after a committee has been appointed, call an organization meeting of the committee, and the committee shall at that meeting choose a chairman.

70A. A quorum is required whenever a vote, resolution or other decision is taken by a select committee, but any such committee, by resolution thereof, may authorize the chairman to hold meetings to receive and authorize the printing of evidence when a quorum is not present.

74. (2) Deleted.

77. (6) Except as provided in these rules, a select committee shall not, without the approval of the Senate, adopt any special procedure or practice that is inconsistent with the practices and usages of the Senate itself.

78. (5) When the report recommends amendments to a bill, or makes proposals that require implementation by the Senate, consideration of the report shall not be moved unless notice has been given pursuant to rule 44(1)(e) or 45(1)(f), as the case may be.

67. (1)

(1) The Senate Committee on Health, Welfare and Science, composed of twenty members, five of whom shall constitute a quorum, to which shall be referred on motion all bills, messages, petitions, inquiries, papers and other matters relating to health, welfare and science generally, including:

- (i) veterans affairs;
- (ii) Indian and Eskimo affairs;
- (iii) health and welfare;
- (iv) social and cultural matters;
- (v) pensions;
- (vi) labour legislation;
- (vii) aging.

67. (1)

(m) The Senate Committee on Agriculture, composed of twenty members, five of whom shall constitute a quorum, to which shall be referred on motion all bills, messages, petitions, inquiries, papers and other matters relating to agriculture.

68. The senators occupying the recognized positions of Leader of the Government and Leader of the Opposition in the Senate shall be ex officio members, in addition to the number of appointed senators, of all standing committees of the Senate.

69. A select committee shall meet, if practicable, on the next sitting day after appointment and shall choose a chairman.

NEW RULE

74. (2) The mover of a motion which established a special committee shall have the right to nominate the senators to serve on such committee: Provided that at the request of three senators nominations shall be as follows. Each senator shall vote openly for one senator to serve as a member of such committee, and those senators for whom the largest number of votes are given shall constitute the committee.

NEW RULE

78. (5) When the report recommends amendments to a bill, or makes proposals which require legislative implementation by the Senate, a motion to adopt the report shall be in order: Provided that where the recommended amendments or proposals which require legislative implementation are substantial, consideration of the report shall be postponed to a future day.

90. Any person seeking to obtain a private bill shall deposit with the Clerk of the Senate, if it is intended that the Bill shall originate in the Senate, a copy of such Bill in the English or French language, with a sum sufficient to pay for its translation and printing. The applicants shall also pay the Clerk of the Senate before introduction of the Bill in the Senate a sum of \$200.00 together with the cost of printing the Act in the Statutes.

100. A substantial amendment may not be proposed to any private bill in a committee of the whole or on the motion for third reading of the bill unless notice of the same shall have been given on a previous day.

113. If for two consecutive sessions of Parliament a senator has failed to give his attendance in the Senate, the Clerk shall report the same to the Senate, and the matter of such vacancy shall be heard and determined by the Senate with all convenient speed.

French version only—

113. Lorsque durant deux sessions consécutives un sénateur n'a pas fait acte de présence au Sénat, le greffier est tenu à en faire rapport au Sénat et le Sénat doit, avec toute la diligence possible examiner et régler cette affaire de vacance de siège.

114. Within the first twenty sitting days of the first session of each Parliament, every senator shall make and file with the Clerk a renewed Declaration of Property Qualification, in the form prescribed in the Fifth Schedule annexed to the British North America Act, 1867, and immediately after the expiration of such period the Clerk shall lay upon the table of the Senate a list of the senators who have complied with this rule.

90. Any person seeking to obtain a private bill shall deposit with the Clerk of the Senate, if it is intended that the bill shall originate in the Senate, a copy of such bill in the English or French language, with a sum sufficient to pay for the translation of the same by the officers of the Senate and for the printing of 800 copies in English and 300 in French. The applicants shall also pay the Clerk of the Senate, immediately after the second reading and before the consideration of the bill by the committee to which it is referred, a sum of \$200.00 with the cost of printing the Act in the Statutes, and lodge the receipt for the same with the clerk of such committee.

100. An important amendment may not be proposed to any private bill in a committee of the whole or on the motion for third reading of the bill unless notice of the same shall have been given on a previous day.

113. If for two consecutive sessions of Parliament a senator has failed to give his attendance in the Senate, the Clerk shall report the same to the Senate, and the question of such vacancy shall be heard and determined by the Senate with all convenient speed.

French version only—

113. Lorsque durant deux sessions consécutives un sénateur n'a pas fait acte de présence au Sénat, le greffier est tenu à en faire rapport au Sénat et, la question de vacance de siège étant ainsi posée, le Sénat doit, avec toute la diligence possible, l'examiner et la régler.

114. Within the first twenty days of the first session of each Parliament, every senator shall make and file with the Clerk a renewed Declaration of Property Qualification, in the form prescribed in the Fifth Schedule annexed to the British North America Act, 1867, and immediately after the expiration of such period the Clerk shall lay upon the table of the Senate a list of the senators who have complied with this rule.

Respectfully submitted,

HARTLAND de M. MOLSON,

Chairman.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 123

Thursday, 30th October, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Croll,	Fournier	Langlois,	Perrault,
Barrow,	Denis,	(Restigouche-	Lapointe,	Petten,
Basha,	Deschatelets,	Gloucester),	Lawson,	Phillips,
Beaubien,	Desruisseaux,	Giguère,	Lefrançois,	Quart,
Benidickson,	Duggan,	Godfrey,	Macdonald,	Riley,
Blois,	Eudes,	Goldenberg,	McDonald,	Robichaud,
Bourget,	Everett,	Graham,	McElman,	Smith (Colchester),
Cameron,	Flynn,	Greene,	McGrand,	Smith (Queens-
Carter,	Forsey,	Hayden,	McIlraith,	Shelburne),
Choquette,	Fournier	Hays,	McNamara,	Sparrow,
Connolly	(de Lanaudière),	Inman,	Michaud,	Walker,
(Ottawa West),	Fournier	Lafond,	Molson,	Williams,
Cook,	(Madawaska-	Laird,	Neiman,	Yuzyk.
Cottreau,	Restigouche),	Lang,	Norrie,	

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Communiqué issued following the Federal-Provincial Conference of Attorneys General held at Halifax, October 23-24, 1975.

Copies of contracts between the Government of Canada and the Municipalities of Neguac, New Brunswick, and Steinbach, Manitoba, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970.

The Honourable Senator Langlois for the Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, October 30, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Standing Senate Committee on National Finance for the proposed expenditures of the said Committee on National Finance with regard to its examination and consideration of such legislation and other matters as may be referred to it, authorized by the Senate on the 5th December, 1974. The said supplementary budget is as follows:

Professional and Special Services	\$13,905
Information-Printing	50,000
	<hr/>
	\$63,905

Respectfully submitted,

KEITH LAIRD,
Chairman.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 4th November, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Hayden, that the Bill C-23, intituled: "An Act to provide for the payment of superannuation benefits to Lieutenant Governors", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Denis, P.C., that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill S-30, intituled: "An Act to incorporate Continental Bank of Canada", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Everett, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Quart calling the attention of the Senate to International Women's Year.

Debated.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date

to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 124

Tuesday, 4th November, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Connolly	Fournier	Lamontagne,	Paterson,
Barrow,	(Ottawa West),	(Restigouche-	Langlois,	Perrault,
Basha,	Cook,	Gloucester),	Lapointe,	Petten,
Beaubien,	Croll,	Giguère,	Lefrançois,	Phillips,
Bélisle,	Denis,	Godfrey,	Macdonald,	Quart,
Benidickson,	Deschatelets,	Goldenberg,	Macnaughton,	Riley,
Blois,	Desruisseaux,	Graham,	Manning,	Rowe,
Bourget,	Duggan,	Haig,	McDonald,	Smith
Buckwold,	Eudes,	Hayden,	McGrand,	(Colchester),
Burchill,	Flynn,	Inman,	McIlraith,	Smith (Queens-
Cameron,	Forsey,	Lafond,	McNamara,	Shelburne),
Carter,	Fournier	Laird,	Michaud,	Sparrow,
Choquette,	(de Lanaudière),		Molson,	Walker,
			Norrie,	Williams.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, October 29, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Brewin has been substituted for that of Mr. Orlikow on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, October 29, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Rompkey has been substituted for that of Mr. Portelance on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, October 30, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Portelance, Guay (*St. Boniface*) and Miss Bégin have been substituted for those of Mr. Rompkey, Miss Bégin and Mr. Guay (*St. Boniface*) on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, October 31, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Dionne

(*Kamouraska*) has been substituted for that of Mr. Beau-doin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-25, intituled: "An Act to protect human health and the environment from substances that contaminate the environment", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th November, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of the Secretary of State of Canada for the fiscal year ended March 31, 1975, pursuant to section 6 of the *Department of State Act*, Chapter S-15, R.S.C., 1970.

With leave of the Senate,
The Honourable Senator Macdonald moved, seconded by the Honourable Senator Blois:

That the name of the Honourable Senator Smith (*Colchester*) be added to the list of Senators serving on the Standing Joint Committee on the Printing of Parliament; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Manning, P.C., resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 125

Wednesday, 5th November, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Fournier	Langlois,	Petten,
Asselin,	Connolly	(Restigouche-	Lapointe,	Phillips,
Austin,	(Ottawa West),	Gloucester),	Lefrançois,	Prowse,
Barrow,	Cook,	Giguère,	Macdonald,	Quart,
Basha,	Croll,	Godfrey,	Macnaughton,	Riley,
Beaubien,	Davey,	Goldenberg,	Manning,	Rowe,
Bélisle,	Denis,	Graham,	McDonald,	Smith
Bell,	Deschatelets,	Greene,	McGrand,	(Colchester),
Benidickson,	Desruisseaux,	Haig,	McIlraith,	Smith (Queens-
Bourget,	Eudes,	Hayden,	McNamara,	Shelburne),
Buckwold,	Flynn,	Inman,	Michaud,	Sparrow,
Burchill,	Forsey,	Lafond,	Molson,	van Roggen,
Cameron,	Fournier	Laird,	Norrie,	Walker,
Carter,	(de Lanaudière),	Lamontagne,	Paterson,	Williams,
			Perrault,	Yuzyk.

PRAYERS.

The Honourable the Speaker informed the Senate that the Clerk of the Senate had received a Certificate from the Registrar General of Canada showing that Jacob Austin, Esquire, had been summoned to the Senate.

The Honourable the Speaker informed the Senate that there was a Senator without, waiting to be introduced.

The Honourable Senator Austin was introduced between the Honourable Senator Perrault, P.C., and the Honourable Senator van Roggen, and having presented Her Majesty's Writ of Summons it was read by the Clerk Assistant, as follows:—

CANADA

WILFRED JUDSON
Deputy of the Governor General
(G.S.)

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

TO
Our Trusty and Well-beloved
JACOB AUSTIN,
Esquire,

of the City of Vancouver, in the Province of
British Columbia,

GREETING:

KNOW YOU, that as well for the especial trust and confidence We have manifested in you, as for the purpose of obtaining your advice and assistance in all weighty and arduous affairs which may the State and Defence of Canada concern, We have thought fit to summon you to the Senate of Canada.

AND WE do command you, that all difficulties and excuses whatsoever laying aside, you be and appear for the purposes aforesaid, in the Senate of Canada at all times whensoever and wheresoever Our Parliament may be in Canada convoked and holden, and this you are in no wise to omit.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.

WITNESS: The Honourable Wilfred Judson, a Puisne Judge of the Supreme Court of Canada and Deputy of Our Right Trusty and Well-beloved Jules Léger, Chancellor and Principal Companion of Our Order of Canada, Chancellor and Commander of Our Order

of Military Merit upon whom We have conferred Our Canadian Forces' Decoration, Governor General and Commander-in-Chief of Canada.

AT OTTAWA, this nineteenth day of August in the year of Our Lord one thousand nine hundred and seventy-five and in the twenty-fourth year of Our Reign.

BY COMMAND,

ANDRÉ OUELLET,
Registrar General of Canada.

Ordered, That the Writ be placed upon the Journals.

The Honourable Senator Austin came to the Table and took and subscribed the Oath prescribed by law, which was administered by the Clerk of the Senate, the Commissioner appointed for that purpose, and took his seat as a Member of the Senate.

The Honourable the Speaker informed the Senate that the Honourable Senator Austin had made and subscribed the Declaration of Qualification required of him by *The British North America Act, 1867*, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said Declaration.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of expenditures and administration in connection with the *Family Allowances Act* for the fiscal year ended March 31, 1975, pursuant to section 14 of the said Act, Chapter F-1, R.S.C., 1970.

Report of expenditures and administration in connection with the *Old Age Security Act* for the fiscal year ended March 31, 1975, pursuant to section 26 of the said Act, Chapter O-6, R.S.C., 1970.

Copies of a Statement of the effect of placing endangered species of wild fauna and flora on the import control list, issued by the Department of Industry, Trade and Commerce pursuant to section 5 of the *Export and Import Permits Act*, Chapter E-17, as amended by section 3 of Chapter 29 (2nd Supplement), R.S.C., 1970.

Agreement, dated October 17, 1975, between the Government of Canada and the Province of Quebec concerning information, recruitment and selection of foreign nationals residing outside of Canada for permanent residence or temporary employment in the Province of Quebec.

Statutory Declaration of Ann Elizabeth Haddon Bell, of the City of Nanaimo, British Columbia, formerly Ann Elizabeth Haddon Heath, a member of the Senate of Canada, declaring that her name is now Ann Elizabeth Haddon Bell.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-29, intituled: "An Act to enable The Eastern Canada Savings and Loan Company and Central & Nova Scotia Trust Company to amalgamate", reported that it had examined the said Bill and had directed him to report the same to the Senate with six amendments, in the French text only.

The amendments were then read by the Clerk Assistant as follows:—

1. *Page 1:* In the Preamble strike out the words "la Compagnie d'épargne et de prêt du Canada-Est et la" and substitute therefor the following:
"la compagnie The Eastern Canada Savings and Loan Company et la compagnie"
2. *Page 2:* Strike out lines 13 and 14 and substitute therefor the following:
"compagnie The Eastern Canada Savings and Loan Company et"
3. *Page 2:* Strike out lines 34 and 35 and substitute therefor the following:
"compagnie The Eastern Canada Savings and Loan Company et la compagnie Trust Central et Nouvelle-Écosse"
4. *Page 3:* Strike out lines 6 and 7 and substitute therefor the following:
"compagnie The Eastern Canada Savings and Loan Company était une compagnie fiduciaire au sens de"
5. *Page 3:* Strike out line 25 and substitute therefor the following:
"compagnie Trust Central et Nouvelle-Écosse avait reçu,"
6. *In the Title:* Strike out the words "la Compagnie d'épargne et de prêt du Canada-Est et la", and substitute therefor the following:
"la compagnie The Eastern Canada Savings and Loan Company et la compagnie"

The Honourable Senator Hayden moved, seconded by the Honourable Senator Langlois, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Lamontagne, P.C., from the Special Committee of the Senate on Science Policy presented the Second Report of the said Special Committee, as follows:—

WEDNESDAY, November 5, 1975.

The Special Committee of the Senate on Science Policy presents its Second Report, as follows:

Your Committee recommends that its quorum be five (5) members.

All of which is respectfully submitted.

MAURICE LAMONTAGNE,
Chairman.

With leave of the Senate,

The Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Report be now adopted.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate.

The Honourable Senator Molson moved, seconded by the Honourable Senator Basha, that the Report be adopted.

After debate,
The Honourable Senator Croll moved, seconded by the Honourable Senator Benidickson, P.C., that further debate on the motion be adjourned until Wednesday next, 12th November, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Greene, P.C., called the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees.

After debate,

The Honourable Senator Croll moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 126

Thursday, 6th November, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Connolly	Godfrey,	Lefrançois,	Quart,
Austin,	(Ottawa West),	Graham,	Macdonald,	Riley,
Barrow,	Cook,	Greene,	Macnaughton,	Robichaud,
Basha,	Cottreau,	Haig,	McDonald,	Rowe,
Beaubien,	Croll,	Hastings,	McGrand,	Smith
Bélisle,	Denis,	Hayden,	McIlraith,	(Colchester),
Bell,	Deschatelets,	Hicks,	McNamara,	Smith (Queens-
Benidickson,	Desruisseaux,	Inman,	Michaud,	Shelburne),
Bourget,	Eudes,	Lafond,	Molson,	Sparrow,
Burchill,	Flynn,	Laird,	Neiman,	Stanbury,
Cameron,	Forsey,	Lamontagne,	Norrie,	van Roggen,
Carter,	Fournier	Lang,	Perrault,	Walker,
Choquette,	(de Lanaudière),	Langlois,	Petten,	Williams,
	Giguère,	Lapointe,	Phillips,	Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, November 4, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Guay (*St. Boniface*) and Beaudoin have been substituted for those of Messrs. Stollery and Dionne (*Kamouraska*) on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, November 4, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Stollery and Lachance have been substituted for those of Misses Nicholson and Bégin on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, November 4, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Misses Nicholson and Bégin have been substituted for those of Messrs. Stollery and Lachance on the list of Members appointed to serve on the Special Joint Committee on Immigration Policy.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, November 4, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Blais has

been substituted for that of Mr. Anderson on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-30, intituled: "An Act to incorporate Continental Bank of Canada", reported that it had examined the said Bill and had directed him to report the same to the Senate with certain amendments.

The amendments were then read by the Clerk Assistant as follows:—

1. Page 3: Strike out lines 38 to 45, inclusive, and substitute therefor the following:

"(a) IAC Limited may, notwithstanding sections 53 and 54 of the *Bank Act*,

(i) subscribe for shares of the capital stock of the Bank at not less than par value and cause to be registered in the name of IAC Limited the shares issued pursuant to such subscriptions, and

(ii) exercise, in person or by proxy, the voting rights pertaining to shares of the capital stock of the Bank registered in the name of IAC Limited;"

2. Pages 5 to 7: Strike out lines 17 to 49, inclusive, on page 5, all of page 6 and lines 1 to 31 on page 7 and substitute the following:

"10. (1) IAC Limited and the Bank shall, within ten years after the coming into force of this Act,

(a) subject to subsection (2), amalgamate in accordance with the *Canada Corporations Act* or the *Canada Business Corporations Act*, whichever Act applies to IAC Limited at the time of the amalgamation, as if the Bank were a corporation subject to the Act that applies to IAC Limited, or

(b) amalgamate in accordance with sections 100 to 102 of the *Bank Act*, as if IAC Limited were a bank to which that Act applies,

and, subject to subsections (4) to (6), the Bank after the amalgamation is subject in all respects to the *Bank Act*.

(2) If the *Canada Business Corporations Act* applies to IAC Limited at the time of the amalgamation and if, immediately prior to the amalgamation, IAC Limited owns all of the outstanding shares of the capital stock of the Bank,

(a) subsection 178(1) of that Act applies to an amalgamation under paragraph 1(a), and

(b) the resolutions referred to in paragraph 178(1)(b) of that Act may vary from the require-

ments set out in that paragraph to the extent necessary to give effect to section 11 of this Act.

(3) Prior to an amalgamation under paragraph (1)(b), the Governor in Council may, by order, prescribe that, notwithstanding subsection 101(2) of the *Bank Act*, the terms of the proposed amalgamation agreement need not be submitted to the shareholders of IAC Limited.

(4) Subject to subsection (6), if, when an amalgamation under subsection (1) takes effect, there is outstanding any indebtedness of IAC Limited, other than the debentures referred to in subsection (5), that is of a kind that the Bank is not permitted to incur under the *Bank Act*, then, notwithstanding the *Bank Act*, any such indebtedness incurred prior to October 28, 1975, remains outstanding after the amalgamation as indebtedness of the Bank and is binding upon and enforceable against the Bank in accordance with its terms, including any terms as to security.

(5) Subject to subsection (6), if

(a) an amalgamation under subsection (1) takes effect prior to July 15, 1984, and

(b) on the day when the amalgamation takes effect there are outstanding any debentures that carry rights of conversion into shares of IAC Limited to be issued on such conversion

then, notwithstanding the *Bank Act*, during the period from the day the amalgamation takes effect until July 15, 1984, the rights of conversion under any of those debentures that were issued prior to October 28, 1975, remain outstanding as rights of conversion into shares of the Bank and shares of the Bank may be validly issued during that period upon the exercise of the rights of conversion except that shares of the Bank may not be so issued to a person from whom a subscription for a share of the capital stock of the Bank could not, by reason of paragraphs 53(4)(a) or (b) or subsection 56(2) of the *Bank Act*, be accepted by the Bank.

(6) Subsections (4) and (5) apply to any indebtedness and any debentures referred to therein only if

(a) the terms thereof do not permit the debtor, at its option, to discharge the indebtedness or the debentures prior to the amalgamation, whether or not the discharge would require payment by the debtor of a premium or bonus; and

(b) the Minister of Finance consents to the application of those subsections to that indebtedness or those debentures upon submission to the Minister made by IAC Limited that it has attempted to arrive at alternative arrangements that would avoid the necessity of relying upon those subsections as to that indebtedness or those debentures.

(7) The submission referred to in paragraph (6)(b) shall be accompanied by an undertaking to discharge the indebtedness at the first date upon

which it may be discharged at the option of the debtor, whether or not upon payment of a premium or bonus.

(8) Any indebtedness referred to in subsection (4) and any debentures referred to in subsection (5) that have not met the conditions set out in subsection (6) shall be discharged prior to an amalgamation under subsection (1).

(9) For greater certainty, all of the provisions of the *Canada Corporations Act*, the *Canada Business Corporations Act* or the *Bank Act*, as the case may be, relating to the effects of an amalgamation apply to an amalgamation under subsection (1), except as provided in this section and in section 11.

(10) The Bank may enter into such agreements as may be reasonably necessary to confirm that any indebtedness to which subsection (4) applies remains outstanding after the amalgamation as indebtedness of the Bank, and that any debentures to which subsection (5) applies are convertible after the amalgamation into shares of the Bank to be issued on such conversion."

3. *Page 7:* Strike out lines 32 to 35, inclusive, and substitute therefor the following:

"The Bank shall be the continuing corporation resulting from the amalgamation of the Bank and IAC Limited referred to in subsection 10(1) so that,"

4. *Page 7:* Strike out lines 41 and 42 and substitute therefor the following:

"mence business when the Bank was originally permitted under that section to commence business."

5. *Page 8:* Strike out lines 16 to 22, inclusive, and substitute therefor the following:

"Act apply to IAC Limited and sections 38 to 56 of the *Bank Act* apply to the shares of IAC Limited and"

6. *Page 10:* Strike out lines 20 to 27 inclusive, and substitute therefor the following:

"15. (1) During the period commencing on the day this Act comes into force and ending on the expiration of two years next following that day or on the day on which an amalgamation under subsection 10(1) takes effect, whichever occurs first, a person referred to in subsection 2(1) is not ineligible, notwithstanding paragraph 18(5)(b) and subsection 18(6) of the *Bank Act*, to be elected or appointed a director of IAC Limited by reason of his being a director of a bank, or of a bank to which the *Quebec Savings Banks Act* applies or of any company referred to in subsection 18(6) of the *Bank Act*, but no person who, but for this subsection, would be ineligible for election or appointment as a director of IAC Limited may hold in IAC Limited any of the offices referred to in section 21 of the *Bank Act* or

continue after the expiry of that period to be a director of IAC Limited."

7. *Page 11:* Strike out line 38 and substitute therefor the following:

"is a subsidiary of IAC Limited (any such corporation being hereinafter in this section and in sections 17 to 19 called a "restricted corporation"), to carry on"

8. *Pages 12 and 13:* Strike out lines 22 to 43, inclusive, on page 12 and lines 1 to 17, inclusive, on page 13 and substitute therefor the following:

(a) IAC Limited may acquire, and may permit any restricted corporation to acquire,

(i) assets from the Bank previously acquired by the Bank as permitted by the *Bank Act* (such assets and other assets which the Bank is permitted to acquire under the *Bank Act* being hereinafter in this section called "eligible assets"), and

(ii) eligible assets from IAC Limited or any restricted corporation,

but the prior consent of the Inspector General of Banks shall be required for the acquisition of any eligible assets that consist of shares in the capital stock of a corporation, other than a corporation that is a subsidiary of IAC Limited when this Act comes into force;

(b) IAC Limited may acquire, and may permit any restricted corporation to acquire, assets for the purpose of leasing such assets to its customers, and IAC Limited may enter into leases of any such assets and may permit any restricted corporation to enter into leases of any such assets, and

(c) IAC Limited may lend money or make advances, and may permit any restricted corporation to lend money or make advances, upon the security of real or immovable property in Canada or of an equity of redemption therein or of an assignment of or mortgage on the interest of a lessee thereof where such loans or advances would not be permissible for the Bank by reason of the restrictions contained in subsections 75(3) or 75(4) of the *Bank Act* (the said loans and advances, and leases of assets referred to in paragraph (b), being hereinafter in this section referred to as "non-eligible assets"); and

(d) IAC Limited may acquire, and may permit any restricted corporation to acquire, non-eligible assets from any other of those corporations.

9. *Page 13:* Strike out lines 22 to 25, inclusive, and substitute therefor the following:

"assets held by IAC Limited and every restricted corporation be in excess of the aggregate value,"

10. *Page 13:* Strike out lines 33 to 36, inclusive, and substitute therefor the following:

"gible assets held by IAC Limited and every restricted corporation, excluding those non-eli-"

11. *Page 14:* Strike out lines 23 to 25, inclusive, and substitute therefor the following:

"by IAC Limited or any restricted corporation, in any other of those"

12. *Page 14:* Strike out lines 35 to 37, inclusive, and substitute therefor the following:

"IAC Limited or any restricted corporation is under no obligation to"

13. *Page 14:* Strike out lines 42 to 45, inclusive, and substitute therefor the following:

"20. If the Bank or IAC Limited or a director of the Bank or IAC Limited is, in the opinion of the Minister of Finance, in contravention of any requirement of section 8, 9, 12"

14. *Page 15:* Strike out lines 27 to 29, inclusive, and substitute therefor the following:

"tion 15(1) of the *Bank Act*, the provisions of this Act that affect or restrict IAC Limited, the subsidiaries of IAC Limited or the shares of IAC Limited shall cease to have effect, except that subparagraph 7(4)(a)(ii) and paragraphs 7(4)(b) and (c) shall remain in effect for purposes of giving effect to subsections 15(2) to (9) of the *Bank Act*."

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill C-23, intituled: "An Act to provide for the payment of superannuation benefits to Lieutenant Governors", presented the following Report:—

WEDNESDAY, November 5, 1975.

The Standing Senate Committee on Health, Welfare and Science to which was referred the Bill C-23 intituled: "An Act to provide for the payment of superannuation benefits to Lieutenant Governors" has, in obedience to the order of reference of Thursday, October 30, 1975, examined the said Bill and now reports the same without amendment.

Your Committee, however, considers it important that the following observations be made:

The Bill models the pensions for Lieutenant Governors on the pattern selected for term appointments in the diplomatic service. The Committee felt that in view of the similarity of office and duties, legislation providing pensions for Lieutenant Governors should

be patterned on the legislation providing a pension for the Governor General.

The Committee felt that the Bill should be made applicable to former Lieutenant Governors or at least to those in office when Bill C-23 was tabled in October 1974. Since then one Lieutenant Governor has died and his widow is not provided for.

Lieutenant Governors, who formerly were Members of Parliament, would not receive their pensions as such until Bill C-52 becomes law. This creates an unfair situation.

Your Committee was of the opinion that it would have been more just and equitable to base the pensions of Lieutenant Governors on their present salaries rather than on the five-year average.

Your Committee considered that it did not have authority to amend the Bill being reported on. However, your Committee considered that these matters should be called to the attention of the Senate.

Your Committee therefore recommends that the Government or the appropriate ministry consider the advisability of reviewing this legislation in order to remedy these defects at the earliest possible date.

Respectfully submitted.

CHESLEY W. CARTER,
Chairman.

With leave of the Senate,

The Honourable Senator Bourget, P.C., moved, seconded by the Honourable Senator Hayden, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill, without amendment.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Wednesday next, 12th November, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Cook, that the Bill C-25, intituled: "An Act to protect human health and the environment

from substances that contaminate the environment", be read the second time.

After debate,

The Honourable Senator Quart moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill S-29, intituled: "An Act to enable The Eastern Canada Savings and Loan Company and Central & Nova Scotia Trust Company to amalgamate".

The Honourable Senator Hayden moved, seconded by the Honourable Senator Denis, P.C., that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Barrow moved, seconded by the Honourable Senator Hayden, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Stanbury resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of

the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Petten for the Honourable Senator Desruisseaux moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Godfrey for the Honourable Senator Riel, from the Special Joint Committee on Immigration Policy, tabled the Third Report of the said Special Joint Committee.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 545 to 563).

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 544)

IMMIGRATION POLICY

THIRD AND FINAL REPORT OF SPECIAL JOINT COMMITTEE

1. The Special Joint Committee of the Senate and the House of Commons on Immigration Policy has the honour to present its

THIRD REPORT

2. Pursuant to its Order of Reference of the House of Commons of Monday, March 3, 1975 and of the Senate of Wednesday, March 5, 1975, the Committee has heard evidence on and has considered Canadian immigration policy.

3. The Committee has interpreted its mandate as being to facilitate and give focus to a national debate on future immigration to Canada. Empowered by its terms of reference "to invite the views of the public" on the issues raised in the Green Paper on Immigration tabled by the Government in February, the Committee held public hearings in Ottawa and across Canada. Submissions of briefs and comments by individuals and organizations were received at the hearings and by mail.

4. In its 35 weeks of operation, the Committee held nearly 50 public hearings in 21 cities in each of Canada's five regions and in the Northwest Territories. More than 400 witnesses presented submissions at these meetings. In addition, the Committee received more than 1,200 letters and briefs from individuals and more than 200 briefs from organizations that did not appear at the hearings. In all, more than 1,800 individuals and organizations submitted their views. A detailed analysis of the views and concerns of the witnesses and the authors of briefs and letters has been prepared and is attached as Appendix A. Among those contributing to the debate were the Minister and officials of the Department of Manpower and Immigration; organizations with a special interest in immigration; academic and non-academic experts including many groups and individuals qualified to speak with authority on immigration law; and many members of the public concerned about issues bearing on immigration policy. The Committee also benefited from meetings and consultations with representatives of some provincial governments.

5. As a supplement to the hearings, groups of members of the Committee paid inspection visits to immigration reception and processing centres in Toronto, Montreal, Vancouver, Fort Erie, Winnipeg, and London, England. Some members visited Washington, D.C., to consult with American officials and to examine United States policy at first hand.

6. The appointment of the Committee was greeted by a surge of public response. Many concerned organizations indicated their wish to participate in the hearings, while objecting that the initial deadline of 31 July set by Parliament for the Committee's report allowed too little time to prepare submissions. The Committee itself felt that, in view of the numbers wishing to present briefs, it needed more time properly to complete its task. At the Committee's request, Parliament granted a three-month extension to October 31 for presentation of the Committee's report. This made it possible to extend to September 15 the dead-

line for submitting briefs. While most organizations found it possible to meet this date, briefs received subsequently have been examined. At the last moment, the Committee found it necessary to request a further extension of two weeks to allow for translation and printing of this Report.

7. How representative were the views gathered by the Committee? How effective was the Committee's method of probing public attitudes by holding public meetings across the country? True, some meetings were packed by noisy representatives of extremist organizations with small memberships who often tried to prevent the expression of opinions different from their own. But on no occasion did these groups fully succeed. Even at the rowdiest meetings, the Committee learned about new problems and heard fresh points of view. Moreover, every public meeting provoked a fresh flow of submissions by mail.

8. In view of the volume and comprehensiveness of the responses received, oral and written, the Committee feels confident that it has had ample opportunity to consider carefully the full range of national views on each aspect of immigration policy. Every view had an advocate. The great public concern, the news coverage of hearings and the Committee's paid advertising combined to ensure that many of the Committee's public meetings were well attended. Coping with too many, rather than too few, speakers for the time allowed was a major problem.

9. On balance, the Committee is satisfied with the method it used to sound out public opinion and believes it offered these important advantages:

- it made the Committee aware of the differing regional approaches to immigration across Canada;
- it permitted the Committee to move beyond the conceptual and geographic frameworks of Ottawa and to become exposed to views it might not otherwise have encountered; and
- it provided Committee members and the Canadian public an opportunity for dialogue and open discussion of an important policy issue.

However, some members of the Committee felt that the method had the disadvantage that it elicited the views of unrepresentative and overly emotional individuals.

10. This report will indicate the Committee's reaction to the range of information and opinion it encountered in the course of this dialogue. As will be evident, the issues raised by the Government's Green Paper on Immigration Policy and the data it provided often formed the basis for the national debate in which the Committee engaged. The report, however, reflects much more than the Committee's consideration of the Green Paper. It seeks to identify the areas of broad concern that emerged from its interaction with the public and from other investigations; to express the Committee's views on most of these issues; to make recommendations regarding the retention or modification of specific immigration policies or procedures; and finally to suggest broad guidelines for a future immigration policy for Canada.

Canada Needs Immigrants

11. The Committee is of the opinion that Canada should continue to be a country of immigration. In reaching this central conclusion Committee members were particularly impressed by demographic and economic arguments, as well as by the need to take account of family and humanitarian considerations for reasons specified elsewhere.

Demographic factors

12. Owing to the spectacular decline in the Canadian fertility rate since 1960, immigration is becoming an increasingly important component of population growth. In 1974 Canada's population of 22.3 million grew by 348,000, of which one-half was due to immigration as illustrated in chart 1. (See Appendix B.) The situation of immigration accounting for a large part of population growth is one which Canadians have not experienced since the 1920s. This trend is likely to continue. The Committee was impressed by evidence that even if the decline in the fertility rate were to cease and the current fertility rate of 1.8 births per woman were to be projected into the future, Canada would require *net* immigration of more than 50,000 a year to prevent a decline in total population after the year 2000. Chart 2 illustrates the implications of various levels of net immigration. (See Appendix B.)

13. It should be noted, moreover, that these are net figures which take account of estimated emigration from Canada. Statistics on annual emigration do not exist and present procedures do not allow for the compilation of reliable figures. However, well-informed estimates suggest that emigration may amount to about one-third of the gross numbers of immigrants, so that it would be reasonable to add 50 per cent to the net figures in chart 2 to transfer them into gross immigration figures. On the basis of this calculation, an annual rate of 75,000 immigrants would be needed at current fertility rates to maintain a population level of 28 million during the first half of the 21st century. Even at this figure the population could be expected to decline by two million by the year 2071. If it were desired to have a stable population throughout the next century, it would be necessary to have a gross rate of immigration of 150,000 a year.

14. The Committee recognizes that these figures involve several assumptions and that the situation could vary considerably over time. But they do reveal the long lead time required if population trends are to be modified. Since the Committee believes that a country as large and thinly populated as Canada cannot afford a declining population, it concludes that Canada must continue to welcome a minimum of 100,000 immigrants a year as long as present fertility rates prevail. The Committee was divided on whether or not to suggest an upper limit either as a figure or as a percentage of the Canadian population. But there was agreement that the Government, when formulating a target each year as called for later in this report, should not treat the minimum figure of 100,000 as an upper limit.

15. The Committee rejected the view contained in some submissions that Canada should close its doors to immigrants. Equally, it concluded that in an age of vastly increased mobility Canada could not afford to have an

"open door" policy, and would have to maintain controls over the total number of immigrants coming each year to Canada. The Committee's preference is for a policy of moderation between these two extremes.

16. In the exercise of such a policy the Committee agrees with the Government of Newfoundland which argued that "*in this time of increasing world populations, rapidly depleting resources and economic uncertainty, ... (immigration) must be brought under control and rationally directed ... to best serve the interests of Canadians*" (30:80). To do this properly, account should be taken of long term needs as well as short term pressures. The Committee is well aware that in a time of high unemployment new immigrants may be seen by the unemployed in particular as competing for too few jobs. Committee members are also aware that Canada continues to have an exceptionally high rate of new entrants into the labour force each year, higher indeed than any other industrialized country. In 1972, for example, 320,000 persons entered the labour force making a total of 9,086,000. But this situation will change significantly around 1980 when the annual rate of growth of the labour force will decline rather abruptly from approximately three percent to about two percent. André Raynauld, Chairman of the Economic Council of Canada, stated that this decline to a lower and more normal rate of entrants into the labour force could mean that, without immigration, future economic development might actually be held back by labour shortages (15:14). The Committee accepted Dr. Harvey Lithwick's assertion that "*it is disastrous*" for a country to tie immigration policy to short-term economic developments. Immigration "*is a long term investment in human resources*" (48:22). Its conclusion from this body of evidence was that for population reasons it is important to maintain a moderately steady flow of immigration.

Economic factors

17. The Committee was exposed to much conflicting testimony regarding the economic costs and benefits of immigration. It recognized that the evidence for making specific judgments was far from adequate. As Louis Parai had observed in his background study for the Green Paper, *The Economic Impact of Immigration*,

"The results of previous research do not clearly indicate the economic impact of post-war immigration into Canada. ... in most instances the impact has not been large. The most significant effects ... are to increase slightly per capita incomes and economic growth ... and to provide for a more flexible labour force ..." (p. 73)

18. Contradictory testimony was received regarding the significance of the contribution an expansionist immigration policy could make to economies of scale. In the main, members of the Committee went along with Dr. Raynauld's comment that this argument that immigration should be continued because it contributes to economies of scale was "*a very weak one*" (15:16). The Committee believes that the benefits of immigration are obvious providing there are reasonable employment opportunities. Of course, immigration causes some special direct costs, as the brief of the Atlantic Provinces Economic Council pointed out, particularly in the fields of education, training and

adjustment services. But these costs are balanced by the fact that immigrants arrive with training and experience acquired at no cost to Canada. All of this leads the Committee to the conclusion that Canada would contribute to its own economic well-being by continuing to welcome immigrants in moderate numbers.

19. For this combination of reasons the Committee recommends that immigration in future be treated as a central variable in a national population policy and that this objective be achieved through the establishment of an immigration target to be adjusted from time to time to achieve an even rate of population growth as well as to take account of changing economic conditions and needs. This implies a new commitment to policy planning in the formulation of immigration targets. It also involves recognition of a point strongly made by Dr. Raynauld, "*there are very substantial economic consequences from an alteration in the pace of population growth, either from fast to slow or from slow to fast*" (15:5). Subsequently under questioning, Dr. Raynauld expressed his views more explicitly:

"It would be desirable not to have too much fluctuation in immigration, no more so than it is desirable to have fluctuations in income and in investment because that generates cycles and instability in the economy that prove to be very costly to Canada" (15:29).

Prejudices Regarding Immigrants

20. A persistent theme of submissions hostile to immigration was the view that immigrants crowd into cities, exacerbating housing shortages, increasing the crime rate, bringing infectious diseases, taxing the welfare roles and government services, and causing unemployment by taking jobs from Canadians. The Mayor of Vancouver made the specific point that "*... immigration [to Vancouver] has exerted great pressure on land and therefore on housing prices... Immigrants have brought talent, money and culture, but they have not brought land... This is primarily a spatial question, not a racial question*" (26:6 & 7). The Committee recognizes that all these are problems faced by rapidly growing cities, but concluded that they are caused by the economic, social and cultural dynamism of cities and their attractiveness to Canadians and immigrants alike. In fact, Canadians migrating within Canada from the country to the cities and from province to province are the main impulse for city growth. Chart 3 graphically illustrates interprovincial migration from 1966 to 1971 and shows how mobile Canadians have become. (See Appendix B.) And this chart does not even display the significant movements within provinces, for instance, from the Cariboo country to Vancouver or from Labelle to Montreal.

21. The Committee is convinced that even without immigration Canada's larger cities would face problems inherent in growth. Immigrants are only a tributary flowing into a much larger river of Canadians who have been migrating to the cities in ever increasing numbers throughout the century. This does not mean that the Committee is not sympathetic to the planning needs of cities. It simply feels that immigrants should not be blamed for problems that they have done little to cause, although they may have compounded them. Canadians worried about the quality of life in our cities should look elsewhere than to sharply

reduced immigration for a solution to the problems of city living.

22. Similar misconceptions also abound regarding the impact of immigration on social services and benefits and health care. None of the testimony supported with facts the popular notion that newcomers are using these services more than the native-born. If anything, the Committee has the impression that use of such services by immigrants falls below the national average for the obvious reason that many come from countries where such services are traditionally provided by the family. Indeed, it would appear that inter-provincial and rural-to-urban migrants make greater use of government support than persons from abroad.

23. Nor do immigrants participate less actively in the work force than long-term residents. Selection criteria are designed to ensure that newcomers are well equipped to secure employment. The Indo-Can Sikh Association of Prince Rupert spoke for many in saying,

"... East Indians have fared well in finding employment, achieving a high level of family income, purchasing their own homes, and feeling at home in Canada" (09).

Other persons offered explanations for the initial difficulty some immigrants experience in finding satisfactory employment. An economist, himself an immigrant, told the Committee that "*... [occupational] mobility is built into the structure of the occupations themselves*" (47:38). He was referring to the complex of factors such as job seniority within unions, different techniques for performing a trade which immigrants have learned in their countries, and the like. These factors may complicate the task of an immigrant seeking a steady job.

24. Some submissions contained allegations that immigrants, especially the non-white, contribute disproportionately to the crime rate. Expert testimony did not support this charge. Professor Frederick Zemans of Osgoode Hall said,

"... most immigrants who come to Canada have a strong fear of the legal system itself... and they are very concerned that they should not get into any difficulties or any trouble while in this country" (10:5).

And in a study prepared for the Ministry of the Solicitor General of Canada in 1974 statistics indicated that the crime rate for immigrants was approximately one-half that for native-born Canadians (Report 6/74).

General Objectives

25. The Committee agrees that Canadian immigration policy should meet certain humanitarian needs as well as promote Canada's economic, social and cultural interests. Accordingly, it favours a reaffirmation of the goals of reuniting families and of offering a home to refugees, and recommends that these two groups be treated differently from other immigrants: immediate family members should continue to be exempted from evaluation on the point system, and refugee movements should be given sympathetic consideration appropriate to the nature and circumstances of each case.

26. The Committee recognizes that it has been through the contributions and efforts of successive generations of immigrants that Canada has grown to be the relatively

secure, prosperous, free, and satisfying place it is. About four million immigrants have come to Canada since World War II. Their skills, their energies, and their enthusiasm have added immeasurably to every facet of Canadian life, and have created a vibrant multicultural mosaic. The Committee firmly believes that the settlement of post-war immigrants alongside the founding cultures is one of the most positive chapters in Canada's post-war history. It looks to immigration to continue to contribute to the economic, cultural and social well-being of the country.

27. While these objectives remain unchanged, it has become apparent that the present immigration system needs modification and modernizing. It had been assumed that immigration was essentially self-regulating; that is, that fewer people would want to immigrate to Canada when unemployment was high or the economy bad, and so *automatically* a balance would always be achieved between the number of immigrants applying to come and Canada's economic capacity to absorb them. Experience has proved this assumption false. It is already evident that no matter what happens in Canada there will be substantially increased world migration motivated by a desire for personal betterment. With fewer countries ready to receive immigrants, the pressures on Canada will exceed its capacity to absorb new population.

28. Canadians' attitudes toward the value of growth per se have also changed drastically. No longer synonymous with progress, growth is seen as one of the contributors to urban congestion, environmental pollution and depletion of non-renewable natural resources, thereby threatening quality of life generally.

29. For these reasons, the Committee recommends a shift from the present immigration system, which allows for the admission of everyone meeting certain criteria regardless of numbers, to a more managed system capable of regulating the total flow. However, the proposed system must do this in a fair and non-discriminatory, efficient, and manageable way.

Development assistance and the "brain drain"

30. The Committee considered the arguments contained in some submissions that Canada should regard immigration as one method of helping to alleviate the problems of over-population in other countries, or at least as a way of alleviating the human distress of some few of the world's needy.

31. While affirming Canada's obligation and commitment to working towards human betterment on an international scale, the Committee for a number of reasons agrees with the majority of submissions in rejecting the idea that immigration to Canada should be a factor of any significance in this endeavour. Canada could never take enough immigrants to have a noticeable effect on the poorer countries with exploding populations.

32. The Committee believes that Canada should help improve living conditions in poorer countries through development assistance and by working towards an improved international trading system. To the extent that Canada's efforts and those of other developed countries are successful, they will relieve any developing countries which look

to emigration as a solution to their problems of the need to do so. The Committee agrees with the statement of the Interchurch Project on Population that "*instead of merely offering an escape from poverty, it would be more realistic for Canada to help end poverty itself in the Third World*" (33:98).

33. When considering the nature and extent of Canada's international responsibilities in formulating its immigration policy the Committee also discussed the often raised issue of the so-called "brain drain". Many submissions agreed with the National Union of Students in arguing that by accepting the skilled, educated, young and energetic from developing countries Canada is continuing a "*rip-off of . . . people from countries where their skills and training are far more important*" (0110). This was presented as an abdication of Canada's international responsibilities and as directly conflicting with our development aid policies. However, some submissions, notably from East Indian and Chinese immigrants, suggested that anxiety about the "brain drain" from developing countries is exaggerated because in some of these countries the number of people receiving advanced education surpasses the number of suitable employment opportunities (30:73-5).

34. The Committee appreciates that this is a complex issue and that there is truth in both sides of the argument. While some countries wish to protect themselves from the emigration of persons with talents and skills important to their development, Canada is committed to the free movement of peoples and ideas. The Committee considers it the responsibility of the country of emigration to take action to protect itself from the "brain drain", and in such situations Canada should refrain from active encouragement of immigrants. Canada's acceptance of immigrants should be without discrimination as to the country of origin.

Non-discrimination

35. The Committee received many submissions concerning the racial and ethnic composition of Canada's population and its rate of change. A number of these, from Canadians and immigrants alike, reflected anxiety about recent and fairly rapid increases in the immigration of non-whites, particularly to the larger cities. Some submissions advocated severe restrictions or a total embargo on immigrants from countries with coloured populations. The Committee also received evidence in testimony of intolerance towards non-whites in some Canadian communities.

36. The Committee sought to identify the sources of racial prejudice evident in these submissions, many of which advocated tight restrictions or a total embargo on non-white immigration. Some persons revealed that the customs and values of newcomers were disturbing to them; this anxiety tended to increase to the degree that the beliefs and lifestyles of immigrants vary from those found in traditional Canadian communities. Others showed an irrational aversion to colour and physical appearance different from their own.

37. The Committee also recognizes that with worldwide economic recession and high unemployment at home, many Canadians may be feeling less secure and more self-protective of a country to which many people across the world want to come. Racial discrimination and hostile attitudes towards minority groups are worldwide phenomena which

tend to increase in times of economic stress. With expanding economic opportunities, intolerance should decrease.

38. One point of view put to the Committee was that any decision to restrict the numbers of any ethnic or racial groups would generate anxiety and instability among the members of these same groups who are now in Canada. In the words of an East Indian immigrant contemplating such a move, it would be tantamount to "being told that there are too many East Indians here already" (41:27). A spokesman from the Armenian Congress spoke for many immigrants when he said:

"[A restrictive policy would be] an insult to human dignity in general and to the thousands of people from Asia and Africa who have taken up Canadian citizenship and are working towards a better Canada and World. . . . The Canadians of Asian and African origin will feel more and more estranged from the other Canadians . . ." (16:43 & 44).

39. There is a danger of creating second-class citizens of many foreign-born who have made their homes in Canada. It is evident that the ability of newcomers to adapt readily and successfully to Canadian life is in large part contingent on the esteem in which they are held by their chosen communities, and on the existence of non-discriminatory treatment in employment, housing, and services. The Committee makes this assertion in the confident belief that the majority of the Canadian people are tolerant and generous and not prepared to condone racial hostility and discrimination.

40. Canada has become to a large extent a multi-cultural and multi-racial society. The Committee stresses that Canadians must anticipate that many future immigrants will be coming from non-European countries and many will be non-white. This trend is clear from recent statistics. As late as 1967 almost 80 per cent of the immigration flow came from Europe, but by 1974 slightly less than 40 per cent of immigrants were European-born. This decline in European immigration reflected in large part the improvement in the European standard of living which makes Canada less attractive than it used to be. Significantly, in 1974, apart from the large-scale emigration from Britain caused by troubled economic conditions there, the highest number of immigrants came from the poorer countries of Europe: Portugal, followed by Italy, Greece, and Yugoslavia. These trends are unlikely to be reversed: Canadians must accept the facts that the country's capacity to attract European immigrants has diminished, and that if we desire immigrants, we must look to other parts of the world.

41. Accordingly, the Committee unanimously recommends that immigration policy continue to be fair and non-discriminatory on the basis of race, creed, nationality, ethnic origin and sex, and that this principle be formally set out in the new Act. It follows therefore that those parts of the present Section 57(g) that give a statutory basis for a discriminatory policy should be excluded from any future Act even though these powers have not been used for many years.

42. In order to promote inter-group understanding, the Committee further recommends public and school education and legislative action to protect Canadians and immigrants alike from racial and ethnic discrimination. As the

Students Administrative Council of the University of Toronto said:

"we, as individual Canadian citizens must . . . accommodate our own attitudes and understanding to facilitate the integrating process. Once an immigrant sets foot in this country, he or she is one of us. We, as a country, and the immigrants as individuals, have made a contract" (34:103).

Well-enforced human rights legislation, public education, and community action programs are helpful in inter-group adjustment. Britain, which in the 1960s, experienced serious racial tension, has had extremely favourable results from its human rights legislation and programs.

Managing Immigration Flows

43. The Committee recognizes that the present point system for assessing potential immigrants has had value as an equitable means for selecting among applicants. However, it was never designed as an instrument to regulate the numbers of qualified applicants accepted; rates of immigration were left to vary with the performance of the Canadian economy. The result has been severe fluctuations in rates, as chart 4 illustrates. (See Appendix B.) (One peak, however, was caused by the movement of Hungarian refugees.) Moreover, the Committee discovered that the apparent responsiveness of immigration flows to Canadian labour demand is partly illusory. The dramatic fluctuations do not indicate the effectiveness of "automatic regulators" such as the labour market so much as they show the effectiveness of administrative measures in turning the immigration tap on and off. Changing the weighting of selection criteria through regulations issued by the Department of Manpower and Immigration remains the most frequently employed regulating device, used recently in the new regulations of October 1974 strongly favouring applicants with either a job offer or a trade falling within one of the few "designated occupations".

44. In the Committee's opinion, such methods are clearly inadequate to meet Canada's present or anticipated needs. Figures show that interest in immigrating to Canada is increasing throughout the world. Canadian Immigration Officers received over 750,000 inquiries regarding the possibility of immigrating to Canada in 1974. If the expected volume of new applications is to be equitably handled, and if Canada is to derive the benefits of balanced population growth, Committee members believe the present system of immigration management must be significantly modified.

45. A principle objective of the new policy should be the regulation of immigration flow to achieve desired population growth. The Committee suggests this could be accomplished by setting an annual target and by developing processes for determining and keeping close to that target. The main indicators used in setting the target should be (1) demographic, such as fertility rate, size, rate of change in size, and age of population, and rate of entry into and exit from the job market; and (2) economic, such as the level of economic activity and rates of employment and unemployment, which have a tendency to move in shorter cycles.

46. Rational population and immigration planning depends on accurate immigration and emigration statistics. The absence of precise figures on emigration from Canada

is a serious deficiency and the Committee hopes that a method of monitoring outflows can eventually be developed.

47. The Committee has discussed possible figures as targets for future annual immigration to Canada. (Because of a lack of emigration statistics, targets must be set in gross rather than net terms.) Bearing in mind its earlier proposal that under present conditions Canada must continue to welcome a minimum of 100,000 immigrants a year and that this figure should not be regarded as a maximum, the Committee recommends that the Minister of Manpower and Immigration, after consultation with the provinces, propose an annual target figure.

48. The Government's proposal should be subject to parliamentary scrutiny. This could be accomplished by the Minister each year presenting to Parliament a resolution concerning the target. The Committee suggests that Parliament refer the resolution without debate to the Standing Committee on Labour, Manpower and Immigration where the Minister could explain how the target figure was determined, give an account of the previous year's immigration experience, and offer a three-to-five-year rolling projection of proposed immigration rates.

49. The annual target having been established, the likely number of sponsored applicants for the period can be estimated (the Committee understands this can be done fairly accurately) and subtracted from the target. The resulting figure is the ceiling on the number of independent applicants to be accepted that year. In the Committee's view, because refugee flows are rarely predictable they cannot form part of such calculations.

50. The Committee considers that this combined target and ceiling system would prove flexible and manageable. Limiting the number of independent immigrants admitted each year would very probably give rise to a waiting list of acceptable applicants. Each would be assigned a place in the list and given an approximate date when he could be admitted. About one-quarter of the total number should be admitted each quarter of the year to smooth out the flow. Committee members who consulted with United States officials were told that a control system involving waiting lists can be highly satisfactory from the point of view both of the receiving country and of the immigrants concerned.

51. The annual target is envisaged as an order of magnitude to be aimed at, but because of some unpredictability in the exact number of immigrants sponsored in any one year the target might be overshot or undershot. While a definite ceiling would be placed on the number of independent immigrants—and adhered to—there would be no limit on the number of sponsored immigrants; any such person admissible would have the right to immediate entry. Likewise, the number of refugees accepted in any year would be determined by the government of the day in the light of the situation in their home country and in Canada. Thus, the actual number of immigrants coming to Canada each year could vary somewhat from the target figure.

52. Introduction of this system of targets and ceilings would, in the Committee's opinion, have several advantages over the present system.

—It would reduce the erratic character of post-war immigration to Canada while leaving sufficient flexibility to adapt to changing economic conditions.

—It would provide the tools to manage immigration efficiently to serve Canada's priorities.

—It would help to ensure that the profoundly human problems of immigration control are handled fairly, and in accordance with criteria which are open to public scrutiny.

—It would assist in planning because the full number of independent immigrants approved for entry in any one year could all be expected to come forward.

53. The Committee also gave considerable attention to the selection of a system for allocating the places within the ceiling for independent immigrants. A number of suggestions were made:

—allocation on a first come, first served basis;

—regional ceilings (for example, one third for Europe, one third for the Americas, and one third for Africa and Australasia);

—one and the same ceiling for each country (as in the United States system);

—country by country ceilings based on the size of their populations;

—priority to applicants scoring higher on the point system.

54. Having reflected on these choices, the Committee recommends admitting immigrants on a first come, first served basis, it being left to the operation of the immigration system to ensure that undue preference is not accorded applicants from any one country. At the same time the Committee heard complaints that the distribution of offices around the world was uneven, and wishes to express its concern that the distribution not be such as to create de facto discrimination.

Selection Criteria

Sponsored relatives

55. The Committee reaffirms that the reunification of families should be a principle of Canada's immigration policy. The family provides ties of affection and emotional support, and meets the material needs of dependent members. For these reasons the Committee favours the maintenance of the present system under which close, dependent relatives are automatically admissible to Canada providing they meet health standards and do not fall within a list of prohibited classes.

56. At the same time, the Committee attaches importance to another objective of immigration policy—that the skills and talents of immigrants contribute to the Canadian economy—and recognizes that a great many immigrants see Canada primarily as a land of social and economic opportunity. The Committee believes that Canada is enriched by those persons who come as independent immigrants for the sole purpose of participating in the work force and community life, and who have the initiative to take this step even though they lack the support of a relative in Canada. The Committee is concerned that over time the present classes of sponsored and nominated immigrants, given substantial advantages because they have

relatives in Canada, would absorb an increasingly larger share of the places available each year in Canada. To ensure that this does not happen and that "new seed" immigrants continue to find a way to enter Canada, all Committee members except one recommend that the present class of nominated immigrant be dropped, and that the ties between members of the non-dependent extended family be recognized in a different way. The nominated category was first introduced in 1967, and in the Committee's opinion has given undue preference to non-dependent relatives seeking to enter Canada. They have received from 15 to 30 points, a substantial part of the minimum of 50 points needed to be eligible for admission, solely through being related to someone in Canada. Of course, such persons could still come to Canada, but they would have to be assessed on a more equal basis with independent applicants.

57. However, the Committee recognizes that relatives can help newcomers in adjusting to their new environment. It therefore proposes that the five points now available to an independent immigrant having a relative in Canada be doubled to ten if that relative is a Canadian citizen. It also recommends that the categories of relatives admissible within the sponsored class be slightly extended.

58. At present, Canadians and landed immigrants may sponsor parents over the age of 60. The basis for this age specification is that such parents usually can be regarded as dependents, not likely to enter the labour force. The Committee suggests a modest extension of this category. Canadian citizens (but not landed immigrants) over the age of 21 should be able to sponsor parents of any age. While some parents undoubtedly would be young enough to enter the work force and therefore not be dependent, there should be a possibility of reuniting any such close relatives desirous of being together. The Committee recommends that this right be limited to Canadian citizens to avoid the possible abuse whereby one of the elder children of a large family could come to Canada and immediately sponsor his parents, who on their arrival could immediately sponsor their other children under the age of 21.

Independent immigrants

59. The Committee recommends that the point system be maintained for evaluating all independent immigrants. The system has shown itself to be generally objective and fair, and ensures that prospective immigrants are assessed according to their ability to integrate socially and economically.

60. The Committee recommends a number of modifications to the allocation of points within the system. However, it has not attempted to work out a comprehensive new point system, believing that this is better done by the Department of Manpower and Immigration when they prepare the new Act and regulations. There is no reason why the points available necessarily should equal 100 or the minimum number of points needed for entry necessarily should be 50, as is now the case. The Committee's comments are intended rather to indicate the specific objectives which it thinks the point system should be designed to meet and to suggest a relative order of magnitude.

(a) Education and training

61. The Committee considers that 20 points for education and training—one point for each year of study—places too much emphasis on educational qualifications. The Chairman of the Economic Council of Canada advised that "between 1961 and 1971 the general level of schooling of the labour force in Canada increased by more than one year on the average", from which he concluded that "we may need fewer skilled people in the future" (15:18). Moreover, the Committee gained the impression that the present allocation of points favours the wealthy and well-educated. It also learned that the ten points now allocated for "occupational skill" include an educational component so that there is a degree of double scoring.

62. For these reasons the Committee favours a reduction from 20 to 12 points for education, one point for each year of successful study. This would continue to give an advantage to applicants who had completed secondary schooling. The qualifications of persons with higher education could still be recognized under "occupational skill." But this proposed reduction would diminish the amount of the advantage now available to those with much formal education, but little practical experience, while assisting those with more modest educational qualifications and a highly desirable set of skills.

63. The Committee further advises that adequate measurement of educational achievement for the purpose of allocation of points can be assured only by ascertaining the equivalence between certificates and degrees received in Canada and the sending countries. Furthermore, because the present appraisal of education is not sensitive to qualitative differences, newcomers on arrival in Canada are frequently faced with difficulty in finding employment in their occupations or professions. Accordingly, consultation should be undertaken with a view to establishing Canadian equivalencies for foreign education and training. Immigration Officers abroad would then be better equipped to assess applicants realistically in this respect, and to advise them about the differences between educational and professional standards and requirements. A newcomer could then expect to enter the work force with a minimum of frustration and delay; and applicants from different parts of the world would receive more equitable treatment.

(b) Occupational skill

64. The Committee considers that practical experience in an occupation is very often no less important than formal educational and training qualifications. Under the present system an applicant receives up to 10 points for what is called "occupational skill"—the number of points allotted is calculated on a complex grid involving differing weights for the number of years of training needed to practice the profession or trade and the intrinsic skill required. The Immigration Officer may vary the total given on this criterion by one point above or below a prescribed norm depending on whether or not he considers the applicant has mastered the skills.

65. Because, for example, a welder with five years experience should be more capable than one just completing trade school, the Committee proposes that additional points—up to eight—be available for the assessment of experience and personal competence. Points allocated

should depend on the number of years of practical experience and, if feasible, on the demonstrated quality of an applicant's competence. This means that the 10 points presently available for assessing the training and skill required in an occupation would be retained; but instead of allowing only one point to measure an individual's competence, eight points would be available to measure competence plus experience where that experience contributes to greater competence.

(c) Age

66. Demographic projections indicate a steady trend toward an aging Canadian population with increasing dependency ratios. Also, it is usually easier for younger people to adapt to a new country and find suitable employment. For both reasons the point system should continue to favour young applicants, and therefore the Committee recommends no change in the present practice of awarding points on this criterion.

(d) Language

67. The allocation of five points for competence in one or the other of Canada's official languages should be maintained. The ability to speak one of the official languages of Canada enables the newcomers to integrate more readily and successfully, and to enjoy greater occupational and social mobility.

68. The allocation of 10 points for an applicant speaking both official languages should be maintained, reinforcing the fact that Canada is a bilingual country.

(e) Relative in Canada

69. To compensate for its proposal to drop the nominated class, the Committee recommends that prospective immigrants who have a relative of a certain degree of kinship in Canada be given 10 points if the relative is a Canadian citizen, and five points if the relative is a landed immigrant. Relatives are usually helpful to new immigrants and support them both emotionally and materially in their initial period of settlement and integration into an unfamiliar culture. The additional five points given if the relative is a Canadian citizen recognizes that immigrants who have acquired Canadian citizenship have generally lived longer in Canada and can be more helpful to the new immigrant.

70. The Committee would allot five or 10 points (as the case may be) to an applicant with any of the following relatives in Canada: a son or daughter, a brother or sister, a parent or grandparent, a niece or nephew, an uncle or aunt, or a grandson or granddaughter.

(f) Occupational demand

71. The vast majority of independent immigrants, even those with a relative in Canada, come to this country to work and to improve their standard of living. Unless an immigrant has a reasonable chance of finding employment related to his training or abilities, neither he nor Canadians benefit from his settlement in Canada. In the Committee's judgment it is therefore essential that selection criteria reflect Canada's manpower needs. To that end, the Committee carefully studied the three criteria directly related to employment for which points are allocated.

72. It did not feel any change was needed in the points awarded for occupational demand. A very broad range of

job classifications are rated from zero to 15 according to the national demand for the skills involved; this rating is based on the Job Vacancy Survey conducted by Statistics Canada. The figures are adjusted monthly and printed in the Department's occupational demand rating guide. The Committee considers that the Department's calculations might be somewhat improved if the statistical base could be extended to include other information on job vacancies, perhaps from provincial or private employment agency sources. But otherwise it believes this criterion is an important indicator of the employment picture in Canada.

73. Several members of the Committee were troubled by the implications of the fact that the occupational demand rating guide is available only to departmental officials; a number of persons are qualified in more than one occupation and might not be assessed to their best advantage if they are unaware of the varying needs for their different skills. Much of this information reaches the public domain anyway by the immigration grapevine, but often in garbled form. These members felt that because the occupational demand rating is derived from public data, it should therefore be made available to prospective immigrants.

74. Against this position it was argued that this practice would be open to abuse. Training schools which make a business of recruiting persons seeking to immigrate might offer diplomas in whichever occupations were allocated the highest points, or applicants might misrepresent their qualifications to score higher. The need to verify such qualifications would greatly increase the work load at immigration posts. These latter arguments persuaded a narrow majority of members of the Committee that the rating guide should be kept confidential.

75. The Committee, however, was agreed that, so long as the rating guide was not available publicly, the prospective immigrant should be given a description of how the Canadian point system works; the application form should contain an invitation to report each occupation the applicant is skilled in; and the Immigration Officer at the interview should be under instructions to seek full information on the applicant's occupational experience.

(g) Arranged employment and designated occupation

76. Because an arranged job is beneficial to both the immigrant and the employer, the Committee recommends that 10 points continue to be awarded to a person who has obtained a job before departure. To prevent abuse it is important that officials also continue to satisfy themselves that the job offer is valid, and that the prospective employer offers the prevailing salary for the position, and satisfactory working conditions and benefits. As an additional protection, the immigrant should be counselled on his rights before leaving for Canada and advised where to secure help on arrival if needed.

77. The Committee appreciates that awarding points for arranged employment favours those applicants who are close to the Canadian job market, and/or have relatives in Canada who can mediate a job offer. As a technique for assisting the independent immigrant who has no previous connections with Canada and for meeting the manpower needs of the economy, the Committee was impressed by the Department's experience with the recently introduced criterion of "designated occupation". This involves taking

occupations in very high demand in specific localities which cannot be filled, and matching these fully documented requirements (which include details of wages, working conditions and the like) with the qualifications of applicants seeking entry to Canada. While neither party is obligated by the arrangement, there is a high probability of a mutually satisfactory match. The Committee encourages the Department to expand and improve this practice and to continue to award 10 points to applicants who so qualify.

78. The Committee further recommends that in times of high unemployment in Canada, it should automatically become mandatory that an independent immigrant have either an arranged job or the skills required in a designated occupation.

(h) Area demand

79. Under the point system as now administered, up to five points are offered depending on where an applicant intends to settle. The precise number of points is allotted on the basis of employment levels in different regions of the country, ignoring more specific local manpower needs as well as the need to encourage people to settle away from large centres of population.

80. Instead of giving points to immigrants for going to major cities like Toronto—in October, 1975, three points were given to any immigrant indicating Toronto as his destination—the Committee proposes that area demand be substantially modified and used experimentally to encourage prospective immigrants to settle in communities where population growth is desired and is compatible with regional development plans. It would be important to work closely with provincial authorities to ensure that they agreed that immigrants were desired and jobs were available in the designated communities, and that the services immigrants require would be provided.

81. Under these circumstances, the Committee thinks a successful applicant should be told about the designated communities and given the opportunity to emigrate immediately (in effect, jumping any queue which might have formed), on condition that he were prepared to take an available job and commit himself to a written contract to remain in the designated locality for at least two years.

82. If, during the contract period, he could not find work in the community, or there were other mitigating factors such as health needs, immigration officials could release him from his obligation. Otherwise, compliance with the contract should be encouraged by delaying the completion of formal landing until the immigrant has taken up employment in the designated locality and has reported to the local Canada Manpower Centre with proof he has done this. A person who failed to honour the terms of the contract in a way which indicated that he misrepresented his intentions when he agreed to it should be "required to depart" from Canada, a new procedure, less drastic than deportation, which is advocated later in this report.

83. The Committee considered offering perhaps as many as ten points as a further inducement to an applicant prepared to settle in a designated community. However, it decided against proposing that any points be awarded for area demand as now proposed out of a fear that this might lead to the entry of marginal immigrants who might fail to

adapt successfully when placed in communities where conditions may be particularly difficult for a variety of reasons.

84. As now proposed, the only inducement offered to a prospective immigrant to settle in a designated community is the opportunity to emigrate immediately. This would be attractive only if a waiting list had developed. With a waiting list, an immigrant choosing to settle in a designated community would do so entirely voluntarily since he would be admissible in any event if he were prepared to wait. The Committee urges that this proposal be approached imaginatively, and that consultation with the provinces be undertaken about the various ways of applying the principle which the Committee wishes to promote—that one of the goals immigration can help to serve is regional development.

85. The Committee is under no illusion that its proposal would solve the problems of regional development or urban congestion. It recognizes that incentives must be available to attract Canadians as well as immigrants to areas where people are needed. However, a proposal along these lines could go a little way towards meeting these objectives, and the Committee urges that such a change be implemented on an experimental basis, and carefully monitored.

(i) Personal assessment and discretionary authority

86. Under the point system as now administered, an immigrant can gain up to 15 points for personal assessment. This is determined during an interview by the Immigration Officer following a detailed set of guidelines. In addition, the Officer has an overall discretionary authority to recommend that an applicant without sufficient points be admitted, or an applicant with sufficient points be refused, if there is reason to believe that the points awarded do not accurately reflect the person's chances of successfully establishing himself in Canada. Either recommendation is subject to review and final determination by the officer-in-charge in each immigration post.

87. The Committee feels that there is a degree of confusion between the two procedures, and realizes that there is a subjective element in making a personal assessment. Nonetheless, the officer must make a judgment as to how effectively an applicant would adjust to life in Canada. So, while the Committee accepts the need for giving some points for personal assessment, it suggests that the total be reduced by at least one third.

88. With regard to the overall discretionary authority, the Committee noted that in the vast majority of cases it has been used to admit persons not scoring sufficient points to be otherwise admissible. In 1974 the authority was used some 5,300 times; in about 500 cases applicants scoring sufficient points were rejected; in the remaining 4,800 cases applicants without sufficient points were admitted.

89. The Committee commends this practice and urges the Department to continue to encourage its officers to use their best judgment when it is a matter of admitting applicants showing adaptability, determination, and resourcefulness who might score low on education and

training. It also recognizes that occasionally there may be evidence that an applicant is either unsuitable or undesirable in ways that cannot be reflected in specific and quantitative criteria.

90. The Committee believes that, in the end, it is unavoidable and proper that well-trained Immigration Officers and their superiors, familiar with the social and cultural milieu of the applicants they are assessing, should be entrusted with a discretionary authority to make judgments that are important, but of necessity cannot be encompassed within the mechanical administration of the point system.

Refugees

91. No specific provision is made in the Immigration Act and regulations for the admission of refugees. The Minister of Manpower and Immigration, by means of regular administrative directives and special programs which are approved by the government to handle unusual situations, has acted in accordance with the United Nations Convention Relating to the Status of Refugees (1951) and the subsequent Protocol (1967). He has often relaxed the terms of the U.N. definition. The lack of clearly stated guidelines led to the characterization of Canadian refugee policy by Freda Hawkins as "*ad hoc, inconsistent, and undisclosed*" (33:22).

92. The Committee feels that a clear statement of refugee policy is necessary to guarantee fair and equitable treatment of claimants to refugee status. At the same time, any statutory provisions must allow for the flexibility of response that has been, and will be, needed to handle the number and particularly the variety of refugee problems that arise.

93. The Committee regards the United Nations definition of "refugee" as too narrow and not adequate to accommodate the present-day variety of circumstances and emergencies confronting citizens of many countries. One difficulty is the stipulation that the person be outside his country to qualify as a refugee. Canada has eased this requirement to accommodate Chileans and Ugandans, but the Committee sees a need for firm criteria to reflect contemporary refugee situations in which persons must leave their home countries because they have been stripped of citizenship and denied the right to remain. The definition should also include persons living in their homeland who face persecution or punishment for political reasons, provided their governments allow them to leave.

94. In brief, the definition of refugee should not be so broad as to undermine the humanitarian principles to which Canada holds, nor so narrow that government cannot cope within the Act with the new emergencies that require a fast and efficient response.

95. The Committee studied the possibility of expanding the definition to include persons suffering from poverty and hunger as a result of natural disaster, famine, or war. Such a concept would be impractical since it could include over half the world's present population.

96. In fitting these conclusions into the broad policy proposals for an annual immigration target the Committee also recognizes that the number of refugees accepted from

year to year may vary widely, depending on unpredictable world conditions, and on the economic situation within Canada. Accordingly it advises that an annual ceiling on the numbers of refugees permitted entry would introduce an unwelcome and arbitrary limit on the bounds of Canada's humanitarianism, and recommends that refugee flows should normally not be included in the government's annual target.

97. Because of the increasing number and variety of refugee situations, the Committee agreed that "*well-founded fears of persecution*" cannot always be easily documented. Accordingly, the Committee further recommends that the responsible Ministers should normally report to the appropriate Standing Committee of Parliament on international situations with refugee implications and the government's response.

98. Because refugee situations frequently require immediate action and the provision of safe haven with neither Canada nor the refugee (or claimant to refugee status) being sure of whether they would be willing or able to accept each other, the Committee carefully studied the recommendation of some witnesses that Canada institute a provisional or temporary reception program as Sweden has done.

99. The Committee learned that Swedish acceptance is limited to 1,000 persons per year and even these few cases are subject to individual approval. Canada is in a position to grant what amounts to first asylum by means of a Minister's Permit. The formal establishment of the rights of first asylum might cause problems in the longer term: while international practice permits the option of deporting an undesirable refugee, no country other than his country of origin may be prepared to receive him. The Committee therefore recommends against the establishment of a special category of first asylum.

Prohibited Classes

100. A person who is found to come within the prohibited classes of Section 5 of the Immigration Act is not admissible to Canada. The Committee received many submissions concerning the revision of this section of the Act.

101. It examined the classes which are prohibited and recommends that certain subsections of Section 5, identified below, be amended, and suggests that all subsections be carefully reviewed to ensure that the provisions are up to date. Since these prohibitions apply to anyone entering Canada—prospective immigrants, temporary workers, students, and visitors—the Act should clarify when the prohibitions apply mainly or solely to prospective immigrants and when they apply to everyone.

Retardation

102. Section 5(a)(i) prohibits the entry of "idiots, imbeciles or morons." The London Council of Women argued that, "*A mentally retarded child should be permitted to immigrate with its parents, at any age*" (37:10). The Committee agrees that immediate members of a family should not be separated because one member suffers from mental retardation and therefore recommends that sponsored dependents who are mentally retarded be admissible.

Mental illness and epilepsy

103. Section 5(a)(ii) and (iv) prohibit the entry of those who are insane or afflicted with epilepsy. An individual maintained that,

"persons suffering from mental disorders should not be prohibited if they can lead a normal life, particularly victims of nervous breakdowns which are only due to temporary circumstances and are experienced by many people" (I 878).

Because many forms of mental illness and epilepsy can now successfully be treated and controlled, most Committee members agree that a person with a history of such a disease should be admissible providing he can lead a normal and useful life. A minority of the Committee would have eliminated mental illness and epilepsy altogether from the prohibited classes.

Contagious diseases

104. Section 5(b) excludes *"persons afflicted with tuberculosis in any form, trachoma or any contagious or infectious disease,"* and was designed apparently to protect Canadians from dangerous illnesses, or the burden of costly medical treatment. The Committee agrees with several submissions that medical advances can make any such specific prohibitions obsolete, and therefore recommends that this subsection state the general principle to be observed without mentioning any specific diseases.

Crimes of moral turpitude

105. Section 5(d) prohibits the entry of persons who have been convicted of or admit having committed a crime involving moral turpitude. While agreeing with the principle, the Committee believes that the term "moral turpitude" is vague and unsatisfactory. A more adequate definition would be achieved by listing serious offences such as murder, rape, assault, fraud, robbery, hijacking, kidnapping, perjury and smuggling, and by providing guidelines by which other serious crimes could be identified.

Homosexuals

106. Many organizations and individuals called for the removal of any reference to homosexuals and homosexuality in Section 5(e). They argued that homosexual acts between consenting adults are no longer an offence under the Criminal Code, and that the new immigration law should reflect the fact that Canadian attitudes towards homosexuality have changed significantly since the last Act was written. Although a few members of the Committee felt strongly that the prohibition against homosexuals should remain, the majority agrees that it should be removed.

Prostitutes

107. Section 5(e) also prohibits the entry of *"prostitutes . . . or persons living on the avails of prostitution."* The Committee wishes to retain this prohibition, but suggests the term "prostitute" be changed to read "male or female prostitute."

Beggars and Vagrants

108. Section 5(g) prohibits the entry of *"professional beggars or vagrants."* The Committee recommends that all

reference to "vagrants" and "vagrancy" be removed from this prohibition.

Public charges

109. Section 5(h) prohibits the entry of those *"who are public charges or who, in the opinion of a Special Inquiry Officer, are likely to become public charges."* Although some members of the Committee advocated the removal of this prohibition because they think it is vague and confers unacceptable discretionary powers on the Special Inquiry Officer, the majority favours its retention on the grounds that Canada's social services should not be overtaxed.

Chronic alcoholics

110. Section 5(i) denies entry to persons who are *"chronic alcoholics."* The Canadian Bar Association recommended that the term be defined as it is in Section 4(1) (b) of the Canada Divorce Act. The Committee agrees, and thinks the definition should read as follows: *"A person who is grossly addicted to alcohol and cannot reasonably be expected to be rehabilitated within a reasonably foreseeable period."*

Drug addicts

111. Section 5(j) prohibits the entry of persons addicted to a narcotic within the meaning of the Narcotic Control Act, but barbiturates, amphetamines and hallucinogens are not included in this definition. The Committee recommends that this section be redrafted to take account of the latest developments in the field of drugs, and in particular to comprehend drugs that are addictive although they may not be narcotics.

Subversives

112. Subsections 5(l) to (r) of the Immigration Act prohibit the entry of subversives. The Committee believes there is a need for careful definition so as not to exclude law-abiding advocates of extreme views, and with this in mind commends the definition of subversive activity found in the Official Secrets Act which reads as follows:

- (a) Espionage or sabotage;
- (b) foreign intelligence activities directed toward gathering intelligence information relating to Canada;
- (c) activities directed toward accomplishing governmental change within Canada or elsewhere by force or violence or any criminal means;
- (d) activities by a foreign power directed toward actual or potential attack or other hostile acts against Canada; or
- (e) activities of a foreign terrorist group directed toward the commission of terrorist acts in or against Canada.

The Committee suggests that international terrorism be added to this list.

Non-bona fide immigrants or non-immigrants

113. Section 5(p) prohibits the entry of *"persons who are not, in the opinion of a Special Inquiry Officer, bona fide immigrants or non-immigrants."* The Canadian Bar Association suggested that the section *"should be either deleted in its entirety or amended so that it provides guidelines or criteria to be followed by Special Inquiry Officers as to the meaning of 'bona fide'"* (067). The Committee recommends

that the prohibition be retained, but that clear guidelines be followed by Special Inquiry Officers in applying it.

Controls and Enforcement

Entry and exit controls

114. The Committee was impressed by the need to improve control over the entry into and stay in Canada of persons who come as visitors with the intention of residing and working illegally. The magnitude of the problem is unknown, but many Canadians expressed a fear that "illegal immigration" is out of control. It seems clear that this fear can foster negative attitudes towards immigrants in general. Moreover, the plight of many illegal aliens is a matter of concern as they are vulnerable to varied forms of intimidation, exploitation, and blackmail.

115. The Committee considered the present system for screening out non-bona fide visitors at ports of entry. A person suspected on certain specified grounds of intending not just to visit Canada but to remain can be refused entry. This can cause not only embarrassment, but genuine hardship to individuals who have come long distances on the understanding that all that is needed to get into Canada is a return ticket. Some bona fide visitors may be refused entry for lack of the means to make their case. Others may eventually emerge from the Special Inquiry procedure free to visit Canada—the Committee was informed that this is true of some 30 per cent of the cases that go to Special Inquiry—but their stay will be marred by their unpleasant experience at the port of entry. On the other hand, there can be no doubt that many "illegals" get through and disappear without any record of their entry.

116. For these reasons the Committee weighed the pros and cons of implementing a comprehensive visitor visa system, excluding only United States citizens, 30 million of whom visit each year, from the requirement of obtaining a time-limited visitor visa before seeking to enter Canada. Prospective visitors would then be accurately informed of Canada's regulations before undertaking a journey and would have the minimum necessary documentation, thus avoiding futile travel. Inspection at ports of entry would be facilitated. However, it is questionable whether officers abroad could better judge visitors' intentions even though they would be working under less pressure than port of entry officers in Canada. And the financial and staff implications of setting up systems and maintaining sufficient officers abroad are considerable. Again, unless a visitor visa system were coupled with an exit monitoring system there would be no way of knowing whether visitors had left Canada.

117. Consequently, the Committee has reservations about the efficacy and practicability of a visitor visa system and recommends that consideration be given first to the establishment of a combined entry and exit card system. If, after careful monitoring, it proved ineffective, a visitor visa system should be reconsidered.

118. With an entry and exit card system everyone entering Canada except Canadian citizens and landed immigrants, and American citizens, would be required to complete a card in duplicate stating name, passport number, country of citizenship, and intended place of sojourn in Canada. The Immigration Officer would check the card

against the passport for authenticity, accuracy, and legibility, and date-stamp and code or number the card and its duplicate. The duplicate (possibly secured to the passport for safekeeping) would be surrendered to the Immigration Officer on departure. A computerized match would then indicate which visitors had, and which had not, departed. This procedure would give only a first lead as to where to look for people suspected of having failed to depart, but it would indicate whom to start looking for, and would for the first time provide some firm evidence of the dimensions of illegal immigration. Knowing that authorities had such records would itself discourage some visitors from overstaying.

119. A limited experiment with entry and exit cards was undertaken in Canada a few years ago, and was subsequently dropped. However, the system introduced at that time involved no inspection on departure and departing visitors were simply invited to drop their forms in a box. The Committee does not regard this as an adequate test of the system it has in mind.

120. For this system to be effective, Immigration Officers would have to be able to satisfy themselves that persons claiming to be Canadian residents or American citizens on entering or leaving Canada were telling the truth. This could be accomplished easily and efficiently by having such persons show their passports; however, alternative forms of identification should be considered acceptable for the 70 million Canadians and Americans travelling between the United States and Canada where passports have traditionally not been required.

121. Visitors would continue to be screened at ports of entry. The examination process would scarcely be speeded up, although officers on the primary inspection line would feel under less pressure in the knowledge that the entry and exit control card system were in effect. In this connection the Committee wishes strongly to recommend the establishment of separate inspection lines at international airports, one for Canadian residents and others for visitors and new immigrants. This would speed up the examination process for returning Canadians who in this day of giant aircraft may often be subjected to delays. If this small step were taken it would be possible to place trained Immigration Officers on the primary inspection line for visitors and immigrants, where their experience would be valuable.

122. The proposed entry-exit monitoring system would require additional personnel at ports of exit to check passports and collect exit cards, and inland to process the cards, but these costs would certainly be less than those involved in a visitor visa system requiring substantial personnel abroad.

123. The Committee recommends that an entry-exit monitoring system be complemented by more thorough follow-up, control, and enforcement procedures within Canada with respect to people suspected of remaining illegally. To facilitate this a number of specific steps should be taken:

—Employers should be required to make reasonable inquiries to establish that employees have a right to work in Canada, and be liable to prosecution for employing anyone who is not a Canadian, not a landed immigrant, or not in possession of a valid work permit.

—Visitors should not be permitted to change their status to landed immigrant, student, or worker from within Canada. (Exceptional cases should be handled by Minister's Permit.)

—Attempts should be made to develop additional methods to detect and take action against marriages of convenience by which persons fraudulently acquire the right to become Canadian residents.

—Landed immigrants who leave Canada for an appreciable period of time should be required to apply for a prima facie grant of re-entry from a Canadian Immigration Officer in the country of sojourn. The Officer would determine whether or not the absence was of a temporary nature with an intent of returning to Canada. At present the port of entry officer is required to make a hasty decision on these matters.

—Persons in Canada other than Canadian citizens who counsel, aid, or abet others to enter or remain in Canada illegally should be liable to deportation.

Special Inquiry, appeal and deportation procedures

124. Special inquiry, appeal and deportation procedures comprise some of the mechanisms for controlling in an equitable way the entry into or stay in Canada of persons who have no lawful right to be here, or who are undesirable. In addition to submissions from lawyers, civil liberties groups, and other interested parties, the Committee received testimony from the Chairman of the Immigration Appeal Board and Immigration officials, and visited ports of entry and Canada Manpower and Immigration Centres to observe procedures at first hand.

125. While the Committee does not wish to recommend any fundamental changes in the present system, it has two underlying concerns. First, whether individual justice is best served by a more rigorously legalistic adversary system with precise rules of procedure, of evidence, and of precedence, or by a less formal, more direct attempt to discover and respond appropriately to the facts as each case warrants. Second, courts and legal procedures in general are designed to protect rights, not to grant privileges. Immigration per se is, in this sense, a privilege, extended by the Parliament of Canada. The judiciary, or other independent bodies, should not, as far as possible, become involved in the selection of immigrants, although the current rights of review by the courts should be preserved. Also, the Committee wanted to ensure that procedures in Canada were not of a nature to encourage people to avoid applying for landed immigrant status abroad. It must not be made easier for would-be immigrants to achieve their objectives simply by arriving in Canada as visitors, and then taking their chances.

126. The Committee noted that many submissions recommended safeguards that are already in effect: at Special Inquiries the subject is now informed of his right to retain counsel; he has a right to the services of interpreters at no charge and to witnesses if necessary; he is read the report of charges against him, and is told of the purpose and possible consequences of the inquiry. The Committee rejects the suggestion that Special Inquiry Officers be appointees independent of the Department of Manpower and Immigration. It further recommends no change in the practice that where the inquiry concerns a person seeking

to enter Canada, the onus of proof of admissibility lies upon that person, while where it concerns a person already within Canada, the onus of proof that the person is subject to deportation lies on the Minister. It agrees with the Canadian Bar Association (and with actual departmental practice) that "*There should be no 'further examination' (by a Special Inquiry Officer) leading to deportation without a formal Special Inquiry hearing*" (067).

127. The Committee was told that the powers of search, arrest, detention, and interim release provided for by the Immigration Act are exercised in a manner that adheres very closely to the provisions of the Criminal Code and the Bail Reform Act. The Committee concurs with the Canadian Civil Liberties Association that "*it reveals no disrespect to insist that Ministerial assurances are no substitute for legislative safeguards*" and recommends that the same safeguards that exist in the Criminal Code and Bail Reform Act be applied to the prehearing detention of "*immigration suspects*" who have been admitted to Canada and/or have filed appeals (34.42). At the same time, the Committee recommends the assignment of additional immigration staff to investigative and enforcement duties, and the provision of more adequate communications equipment, facilities, and R.C.M.P. support at Canada-United States border crossing points.

128. The Immigration Appeal Board at present is empowered to hear appeals from refusals of sponsorship applications made by Canadian citizens, and from orders of deportation in respect of landed immigrants, persons in possession of valid Canadian visas issued outside Canada, persons who have claimed refugee status and whose appeal has been allowed to proceed by the Board, and persons who have claimed Canadian citizenship and whose appeal has been allowed to proceed by the Board. On appeals from orders of deportation, the Board must first consider the legality of the deportation order; if the order is found to be in accordance with the law, the Board may then consider evidence that the person should nonetheless be allowed to stay in Canada for humanitarian or compassionate reasons.

129. The committee gave careful consideration to the arguments of the Chairman of the Immigration Appeal Board, made in testimony before the Committee, that all aliens should be given a right to apply for leave to appeal to the Board from a deportation or related order on questions of law, fact, or mixed fact and law, together with a right to claim special humanitarian or compassionate relief. It is the Board's exceptional power to grant special relief, to modify the laws of Parliament where the law would be unjustly harsh on individual cases, that the Board Chairman sees as the real *raison d'être* of the Board and as the justification for extending access to the Board to all persons ordered deported. A minority of the Committee favoured the recommendation of the Immigration Appeal Board. They believed that justice requires that a person ordered deported by an official of the Department should have a right to seek judicial review of this decision. They also thought that the experience of the Board should be recognized and its judgment be accepted on the principle of extending the right to appeal as proposed and on the practicability of the proposal—that it would not cause undue delays.

130. Most members of the Committee rejected the Appeal Board's recommendation for a number of reasons. It was felt that the Board's unique jurisdiction to modify the laws of Parliament should not be extended to visitors without visas who are ordered deported. Even granting only the right to seek leave to appeal would require a process of filing an application, production of the record of the Special Inquiry, written submissions from both parties, and consideration of these by the Board. This process, it was feared, would be unavoidably time-consuming, costly (not just in terms of the Board's time, but also because the subject would have to be detained and accommodated at public expense in the interim), create a backlog, and be largely unwarranted because Special Inquiries are judged to be satisfactory to these purposes. Here, specifically, Committee members did not want to create a situation where a person had more chance of gaining immigrant status by evading the selection process than by going through it. Moreover, the Committee's decision to recommend that students seeking to study in Canada should be required to apply for a visa abroad would somewhat extend the range of the Appeal Board's present jurisdiction. Should a future decision be taken to adopt a system of visitor visas, the Board's jurisdiction as now provided for would actually become larger than the limited extension it is now seeking.

131. The Committee agrees with the Canadian Civil Liberties Association that it is both unnecessary and unfair that a deportation order serve the goal of extradition: unnecessary because a country which wants someone extradited from Canada can request it; and unfair because extradition guarantees the safeguards of a criminal trial while deportation does not. Therefore, the Committee recommends that a person to be deported have the right to choose the country to which he wants to be deported, if that country is prepared to receive him (34:43).

132. Deportation carries with it a stigma and the consequence that, once deported, a person can legally re-enter Canada only by obtaining a Minister's Permit. The Committee found cogent the arguments of the Canadian Bar Association and the British Columbia and Canadian Civil Liberties Associations that there should be an additional, less drastic mechanism for removing people from Canada (067, 047, 34:48-9 respectively). It is unfair that a person having a right to a hearing of his case before a Special Inquiry Officer should forego it, in favour of departing voluntarily simply because the only possible outcome, if his suspected inadmissibility is confirmed, is the harsh one of deportation. The Committee therefore recommends the introduction of a "required to depart" procedure, to be used in cases of minor breaches of the Immigration Act or regulations.

133. A "required to depart" order should carry with it the same provisions for Special Inquiry and appeal as a deportation order now does. The rejection of an appeal of a "required to depart" order should be final. Anyone who fails to obey a "required to depart" order which is not subject to appeal or which has been upheld on appeal should be subject to deportation without further appeal.

134. The Committee considered suggestions that there be various additions to or deletions from the grounds for

deportation of persons who are not Canadian citizens. As previously mentioned, it recommends the addition of persons in Canada who counsel, aid, or abet others to come into or remain in Canada illegally. It rejected additions which would be unjustifiably harsh or discriminatory against landed immigrants or which would compromise guaranteed freedoms; for example, immigrants who go on welfare or apply for unemployment insurance within 10 years of arrival, or immigrants who are politically radical. It agreed with suggestions for two deletions: homosexuals, for reasons outlined in the foregoing discussion of prohibited classes; and persons who have been admitted to hospital for treatment of mental diseases, since the threat of deportation has made immigrants fearful of using mental health services. Furthermore, the present provision that any inmate of a penitentiary, reformatory or jail may be subject to deportation should be modified to provide that a landed immigrant is liable for deportation only if he has been convicted of an offence which comes under the class of crimes which would have prohibited his entry into the country, as previously recommended.

135. The Immigration Act provides that Canadian domicile is acquired by a person having his place of residence in Canada for five years after having been admitted as a landed immigrant. The significance of domicile is related to deportation. Landed immigrants without domicile are liable to deportation on a number of grounds, including commission of criminal offences and gaining initial entry illegally or fraudulently. Landed immigrants with domicile are not and, of course, landed immigrants who have requested and have been granted Canadian citizenship are not. While not wishing to see eligible immigrants request Canadian citizenship simply to protect themselves against possible deportation, the Committee is unaware of any valid reason for retaining the concept of Canadian domicile and believes that it is reasonable to offer inducements to encourage landed immigrants to acquire citizenship. It feels that landed immigrants should have certain rights to remain in Canada, including the protection from deportation provided by the powers of the Immigration Appeal Board to grant special relief for humanitarian reasons. But these rights should not be inalienable as they are for Canadian citizens. It therefore recommends that the concept of domicile be deleted from the Immigration Act.

Temporary Workers

136. In Canada, employment visas (usually called "work permits") can be issued to persons who wish to work in Canada on a temporary basis at jobs for which Canadians or landed immigrants with the necessary skills are unavailable for the time required. The employment visa system is designed at the same time to preserve job opportunities for Canadian citizens and landed immigrants and to meet employers' needs for temporary labour which cannot otherwise be filled. Included in the 87,341 work permits issued in 1974 were many different categories of workers—managerial, supervisory, and technical staff on training cycles in international corporations; entertainers; seasonal agricultural and factory workers; domestics; working "visitors" who secured many sorts of casual employment; and others.

137. The Committee was impressed with a number of submissions which expressed concern that certain categories of temporary workers can be exploited by being relegated to unattractive jobs, receiving low wages, working under poor conditions, and being ineligible for social benefits. Witnesses also stated that temporary workers can suffer psychologically from being isolated from their families, perhaps unable to speak the language or understand their rights, and from disillusionment on having to return to economic hardship after becoming acquainted with standards of living in Canada.

138. On the other hand, the Committee noted that protections and safeguards have been instituted in an attempt to ensure that wages and working conditions are at least of a standard deemed adequate for Canadians. Moreover, as a study commissioned by the Law Reform Commission of Canada observed, foreign workers are under no coercion to come to Canada and they are usually satisfied with the arrangement because Canadian wage levels are attractive to them (0240). The Committee recognizes that even during periods of high unemployment in Canada, there will continue to be a need for temporary and particularly seasonal workers in Canada. It therefore concerned itself with trying to identify where the problems lie.

139. Twelve per cent of temporary workers now come to Canada on special programs worked out with their governments. Jamaica and Mexico are the principal countries involved, and from contacts which Committee members have had with these governments it would seem that these arrangements are satisfactory to them.

140. Apart from a few hotel workers, most are seasonal agricultural workers who return to their families and do not expect to settle in Canada. Since they come forward under an inter-governmental agreement, the terms of work and remuneration are specified in detail, enforcement is more comprehensive than Canadian migrant workers enjoy, and the worker has recourse to the assistance of authorities of his country in Canada if his contract is not fully honoured. The Committee believes that these arrangements under which temporary workers come to Canada are satisfactory.

141. Some criticism expressed in testimony seemed to be based on the incorrect assumption that Canada has a "guest worker" program similar to those in a number of countries in Western Europe. While there may be cases in which several extensions to a work permit are granted, the Committee understands that most temporary workers stay for fewer than 200 days and that in 1974 over a third were in Canada fewer than 90 days. The situation with "guest workers" is quite different, and the Committee strongly opposes any movement in that direction in Canada. In this connection some witnesses, including the Canadian Labour Congress, advocated full Canadian compliance with the terms of I.L.O. Convention 97.* The Committee does not disagree, but notes that the Convention is really intended to protect "guest workers" who work in a country other than their country of citizenship on a regular and long-term basis. The Convention is not designed to protect temporary workers, but the relevant provisions should be observed where practicable.

*A Convention concerning migration for employment which came into force in January 1952 and provides protection for migratory, but not for temporary, workers.

142. A serious complaint was made that Canadian employers have sometimes misrepresented workers' prospects when recruiting them. The Committee was given details of the unfortunate plight of textile workers from Colombia, some of whom gave up regular jobs to come to work in a mill at Louiseville, Quebec. The market for the company's products declined, and after a relatively short stay in Canada, the workers were released. The Committee believes this situation illustrates the danger of bringing workers on temporary work permits to fill positions which are not genuinely temporary and which should be filled by Canadians or landed immigrants. The Department of Manpower and Immigration must insist that work permits are issued only for genuinely temporary needs.

143. There is a corollary to this position. Where a persistent need for labour arises which Canadians are demonstrably not willing to fill in a specific locality, it should be possible, in conjunction with the provincial authorities, to identify the need, allot points for designated occupations, and find immigrants abroad willing to do the work—providing that the wage offered is comparable to that paid for the same job in similar communities in Canada.

144. A suggestion was made by the Canadian Civil Liberties Association that a temporary worker who loses his job should have a period of grace to enable him to arrange his affairs before being required to depart, or to find another job acceptable to Manpower officials (34:40). The Committee agreed courtesy requires that a temporary worker should have a reasonable time to arrange an orderly departure. But it was felt that, while a seasonal worker should be able to take a similar alternative seasonal job in the same locality with the approval of Manpower authorities, it would be inconsistent with the concept of a temporary work permit to allow a person to seek alternative employment as a means of extending his stay.

145. The Committee concluded that when filling labour needs for which no Canadians are available, or which Canadians are demonstrably not willing to meet, either now or in the reasonably foreseeable future, the emphasis should always be placed on immigration. It recommends that:

- foreign workers be recruited only for jobs that are genuinely temporary in nature, either because of the nature of the work or because Canadians being trained for the job are not ready;
- temporary workers be issued distinctive social security cards;
- extensions to work permits be granted only in exceptional circumstances;
- more regular and thorough inspection and enforcement of wages and working conditions be carried out in areas under the federal government's jurisdiction and that provincial governments be encouraged to do the same in their jurisdictions;
- greater efforts be made to persuade provincial or local authorities or union locals, whichever has the jurisdiction, to take a more generous approach to the matter of trade certification and apprenticeship of

immigrants and so lessen the need for temporary workers;

—an advisory board be appointed, representing the federal government and all provinces in which foreign workers are employed, to protect the rights of those workers;

—temporary workers not be obliged to pay unemployment insurance premiums because they are not eligible to collect benefits.

146. With regard to visitors the Committee agreed with the sentiment expressed by a study for the Law Reform Commission that "*visitors should visit, not work*" (0240) and recommends that no one be permitted to apply for work permits from within Canada. This would discourage visitors coming in the hope of finding work and staying.

147. The Committee found that the "waiver list" of categories of foreign workers who are permitted to accept jobs whether or not there are Canadian citizens or landed immigrants available is in need of revision. Specifically, it recommends that primary and secondary school teachers be removed from the list, and that the other categories be examined to ensure that the list continues to serve the purpose for which it was designed. It also supports the Government's stated intention to remove the special income tax exemption clauses for teachers when re-negotiating tax treaties with the countries now covered by such provisions.

148. It was brought to the Committee's attention that many temporary workers, while in Canada, gain experience and a familiarity with Canadian society which could make them particularly adaptable and attractive as immigrants. For those temporary workers who desire to become landed immigrants the Committee recommends that when being evaluated abroad their past success in Canada be given recognition in points assigned for "personal assessment." However it is opposed to allowing temporary workers to apply for landed immigrant status while in Canada.

Foreign Students

149. The Committee agrees that Canada should continue to welcome foreign students. It endorses the opinion of the National Union of Students that "*The diversity of backgrounds which (foreign students) bring to Canadian universities enriches the cultural milieu*" (0110). Study in Canada is consistent with Canada's endorsement of policies of free movement of people and ideas, and enables us to share our specialized skills. And the Committee recognizes that Canadian students studying abroad outnumber foreign students studying here. It feels that study in Canada enables young people to learn about and develop positive impressions of Canada.

150. If these benefits are to continue, however, the Committee believes that energetic action is required to combat abuses, and to this end recommends that all students be required to obtain valid student visas *before* arriving in Canada. However, the Committee believes that present regulations should be relaxed in one particular: the visa should be valid for the length of the intended period of study in Canada, subject to an annual report to a Canada Immigration Centre with proof that the student has qualified for the next year's program.

151. The Committee notes widespread parental and student anxiety that a large number of foreign students may be displacing some qualified Canadians from many universities and professional schools. In fact, however, the 1974 foreign student enrolment of roughly 32,000 represents less than six per cent of the more than 560,000 total student enrolment in full-time post-secondary education. But, surprising as it may seem, neither the federal nor provincial governments have foreknowledge of or control over the numbers of students accepted by educational institutions in Canada.

152. The Committee believes that there is need for closer scrutiny of colleges and schools accepting foreign students since there is evidence that some institutions are being used simply as a device for gaining entry to Canada. The Committee also suspects that some schools are attractive less for the specialized training which they offer—hair-dressing is a case in point—than for the opportunity to work legally or illegally in Canada. The Committee recommends that the federal government seek the cooperation of the provincial governments in devising ways to prevent these and similar abuses.

153. The Government of Quebec, in its submission to the Committee, complained that it did not know how many foreign students were enrolled in provincially supported educational institutions. A system of accreditation, combined with fuller exercise of powers which the provinces now have to limit the number of foreign students any institution can accept would better enable the provinces and the institutions to respond fairly to the needs of both domestic and foreign students.

154. The Committee considered sympathetically the argument that all foreign university students, after successfully completing one year of study, should be permitted to compete for work on an equal basis with Canadian students during the session recesses. It was not easy for the Committee to reach a decision. Under current regulations, students are permitted to work only if a Canada Manpower Centre certifies that no Canadian is available for the job in question. The only exceptions to this rule are students whose jobs are integrally related to their course of study.

155. Committee members recognize that foreign students often need work to finance their course of studies just as Canadians do, that Canada does not want only wealthy foreign students, and that it is demoralizing for a student to be inactive during the recess. Some Committee members felt that since the number of foreign students seeking work is small in relation to the number of Canadian students, granting foreign students the right to compete equally for work would not significantly endanger Canadian students' opportunities and would bring other benefits. However, a majority of the Committee concluded that at times of high unemployment—when Canadian students experience difficulty finding jobs—the present regulations should be put into effect.

156. It has been suggested that inquiries by foreign students about possibilities for work are normally rejected out of hand. The Committee urges that Canada Manpower Centres be directed to extend their services more positive-

ly and sympathetically to foreign students seeking work during their recesses.

157. A foreign student appearing before the Committee argued that spouses of students should be admissible to Canada and allowed to work. The Committee appreciates the hardship of enforced separation in the case of married students, and accordingly recommends that spouses of persons on student visas be admissible and be permitted to work while those persons are studying in Canada.

158. Several submissions proposed that foreign students should be able to apply for landed immigrant status while in Canada. The Committee has taken the general position that aliens should not be able to change their status while in the country, and is particularly strong in its views in this instance. It favours a generous approach to foreign study in state-supported institutions as a form of international assistance; this would be undermined if foreign students were not encouraged to return to their homelands. Study in Canada should be for its own sake, and not be a way of immigrating to Canada.

159. A special problem was brought to the Committee's attention by the National Union of Students and a South African student. If foreign students cannot seek landed immigrant status while in Canada, must they go back to their homeland if there has been a change of government and they are in danger of imprisonment or other punishment on their return? The Committee believes existing arrangements or proposals discussed in this Report in the section on refugees are adequate to deal with this problem. It calls attention to the fact that Section 15 of the Immigration Appeal Board Act enables holders of a student visa to appeal any deportation order on just such grounds.

Services for Immigrants

160. During its hearings the Committee received considerable testimony concerning immigrant services and the inadequacy of present arrangements. Most of the services required by immigrants fall within the jurisdiction of the provinces and cities or are provided by voluntary agencies. However, the Committee agrees in part with an Italian immigrant living in Montreal who said: "*If Canada decides to accept immigrants, it is Canada's moral obligation to see to their needs and to make sure they do not fall into isolation or become alienated*" (16:49).

161. Because so few services for immigrants are the direct responsibility of the federal government, and will in any event not be provided for in the new Immigration Act, the Committee dealt rather briefly with this subject. It does not wish to imply however, that the problems are not serious and in need of urgent attention.

162. Fortunately many problems requiring counselling and settlement assistance have been handled by the members of ethnic communities already established in Canada, and private and public agencies have striven to meet many new needs. But there are serious problems of coordination. As the Jewish Immigrant Aid Services said: "*the system which we have is basically a fragmented system, . . . a policy has to be evaluated in terms of closer contact between government departments and the voluntary agencies in serving the immigrants*" (33:45). The Committee urges the Department of Manpower and Immigration to give increased attention

to the planning, development, and coordination of immigrant services and proposes that the federal government organize tri-level consultations with the appropriate provincial and municipal authorities, using as a model recent tripartite meetings on urban problems.

163. The immigrant's first contact with Canada is normally made in the immigration office abroad. Many submissions dealt with the problem prospective immigrants experience in securing adequate and accurate information. While some witnesses proposed a variety of pre-arrival services from language training to orientation, the Committee believes that all that is essential is good and accurate information and counselling to ensure that an applicant is making an informed decision to immigrate to Canada. Other preparation is of dubious value since only the very exceptional individual will retain information until he is face-to-face with the need for it.

164. The Committee did not have an opportunity to witness counselling abroad, but some members have observed post-arrival counselling procedures at Canada Immigration Centres. The Settlement Branch is directed mainly to helping the family breadwinner find a job and includes language training, rental assistance and small loans where needed. These particular services appear to be well organized and effective, at least in the larger centres.

165. Some immigrants and their families need additional services to adjust to life in Canada and to participate fully at work and in the community. Adequate and consistent funding is crucial for the success of immigrant settlement and service agencies. While the federal government brings immigrants to Canada, jurisdiction over immigration is shared with the provinces, who also benefit from the talents and skills of newcomers. Many witnesses involved in immigrant service organizations advocated federal government funding of private reception, settlement, and social service programs and agencies. The YWCA of Metro Toronto said, "*[Funding is needed] particularly to help coordinate the activities of teachers, public health nurses, manpower centres and all other groups who help immigrants but who work in isolation from each other and are not aware of the services needed and available to their clients*" (0114). The Committee advises that the federal government should review and expand its programs for support of voluntary agencies.

166. Three areas of services to immigrants were identified by the Committee as warranting special concern.

—As the Toronto School Board, the Board with the largest number of immigrant children, observed, 40 per cent of all immigrants are children, many of them accustomed to different cultures and languages than those found in Canada. There are already some shared-cost language programs for adults. In view of the special needs of many immigrant children, the Committee supports the principle of a federal contribution to the extra cost of educating immigrant children who require special training in English or French or other catch-up programs, providing these funds are clearly earmarked for the school systems.

—Attention was also directed to the particular plight of immigrant women, and especially wives and mothers. When they are not in the work force they have

little opportunity to learn the language and make personal contacts, advantages enjoyed by their husbands and their school-aged and working children. Many of them remain in the home isolated by language differences, and can become estranged from the community and even from their own families. It was pointed out that language training is the single most important need of these women. The Committee is aware that federal funds are made available to the provinces to finance courses organized through the adult education division of the schools. But Committee members gained the impression that not enough attention has been paid to this program by the responsible authorities and recommends that it be reviewed.

—A special problem brought to the attention of the Committee was the difficulty faced by immigrants from different cultures in coping with the Canadian legal system. Professor Frederick Zemans of Osgoode Hall and the Director of the Parkdale Community Legal Services said that immigrants often need special help with consumer and tenant rights, and with women's rights in marriage breakdown situations. The Committee agrees with a Toronto lawyer who suggested that licensed paralegal personnel should be trained to work in immigrant communities because "immigration consultants", frequently untrained travel agents, now working in these communities often give improper advice, overcharge, and take on hopeless cases (10:5-6). The Committee is concerned about these practices and suggests that the federal government consult with the provinces with a view to introducing some regulation in this field. The Committee further feels there is need for a concerted program to develop information, counselling and referral services in major immigrant communities.

167. Many submissions received by the Committee suggested that if Canada's record of successful multicultural adaptation is to be maintained, more attention must be given to the development of programs related to cross-cultural and inter-racial understanding. The Newfoundland Government (30:81) and Dr. André Raynauld, Chairman of the Economic Council of Canada (15:11), for example, believe there is a need to assess the nature and extent of intergroup tensions and to examine the likely impact of future immigration on community relations. The Committee concurs. Should an assessment show a need for significantly expanded national, community, and school programs to promote inter-cultural harmony, the Committee believes the federal government should explore with the provinces ways of encouraging and implementing such programs.

168. The Committee also considers that a federal Human Rights Commission with responsibilities for conciliation, public education programs, and the enforcement of human rights legislation would help to ensure fair and just treatment of racial and ethnic minorities. Human rights laws and multicultural education are essential if intergroup harmony and understanding are to be achieved.

Departmental Organization

169. The Committee received a variety of suggestions for separating Immigration from Manpower and combining it

with other related functions of government. Typical of these was the proposal of the Canadian Association of Social Workers that

"immigration could be better handled by a department . . . which could emphasize such cultural and social aspects of immigration as settlement services, citizenship and multi-cultural programs" (0208).

Others advocated maintaining the present link with Manpower.

170. The Committee was divided in its opinion. All members recognized the heavy burden borne by the Minister of the present Department, but while some felt this justified separating the two branches, others argued that Immigration would be the weaker and accorded to a junior and therefore, less influential Minister. Again some felt the link with Manpower led to exaggerated importance being attached to employment considerations, to which others replied that immigrants come essentially to improve their employment opportunities, and the link ensured the necessary collaboration between the two branches. There were other suggestions as well, that a new Department be established, called Immigration and Population, or that immigration be closely linked to regional development in order to put emphasis on human settlement.

171. Of the several proposals put to the Committee, the one which attracted most support was that Immigration be detached from Manpower and the Unemployment Insurance Commission and instead be linked with citizenship, multiculturalism and population to form a new portfolio. It was felt this represented a rational grouping of federal responsibilities, and a Minister with such a portfolio could expect to carry considerable weight in the Cabinet. Also, there was a widespread feeling that serious efforts should be made to strengthen the settlement services within the Immigration Branch.

Federal Provincial Cooperation

172. Federal-provincial cooperation is an area where the Committee feels substantial changes in practice are required. Vigorous efforts are needed to involve the provinces more closely in order to ensure that immigration policy reflects varied regional requirements. The Minister advised the Committee that he is committed to doing this, and it is apparent that serious efforts in this direction are being made. Quebec, the only province with an immigration act and an immigration department, is far ahead of the other provinces in assessing its needs and making them known at the federal level. The Committee is aware that the federal government would welcome other provinces following Quebec's example and hopes that collaboration will develop along the following lines:

—a permanent joint federal-provincial committee to coordinate the development and implementation of immigration policy including a consultative mechanism for identifying "designated communities" and for elaborating deportation and "required to depart" procedures;

—a provincial presence in immigrant selection; this could involve sending officers abroad for counselling and promotional duties under arrangements similar to

those provided by the Lang-Cloutier and Andras-Bienvenue Agreements between Ottawa and Quebec;

—collaboration on the scrutinizing teaching institutions receiving foreign students and on fixing the numbers of foreign students accepted by each institution;

—cooperation on immigrant services beginning with a joint evaluation of needs as requested by an ad hoc committee formed by Toronto Mayor David Crombie (041).

173. The Committee paid special attention to the political problem faced by Quebec as a result of the decisive fall in the fertility rate in the last 15 years. In the past, the high fertility rate of French-Canadians had compensated for the consistently small francophone immigration to Canada. To forestall a decline in the size of the French-speaking population in Canada, Quebec has found it necessary in recent years to look abroad more actively for French-speaking immigrants or for immigrants who more readily integrate into the French-Canadian community.

174. The Committee has received submissions from various groups and individuals on this subject. It has also been made aware of communications from the Government of Quebec to the Government of Canada, and has heard, in camera, two senior officials of the Quebec Department of Immigration.

175. The French fact is an essential element in the political and cultural life of Canada. Therefore, the Committee agrees that to the economic, social, and other considerations which normally enter into the formulation and application of immigration policy must be added a concern for the maintenance of the French-Canadian presence in healthy and thriving condition. The Committee realizes that this goal cannot be achieved primarily through immigration policy. But it considers that the Government of Canada should not refrain from any reasonable effort within the limits of its jurisdiction which could contribute to the realization of this objective. For instance, the Committee would approve of increased activity to encourage immigration from Latin American countries because people with a Latin cultural background usually integrate easily into French language communities in Canada.

The Statute and Regulations

176. Under the present system, immigration law comprises mainly statutes enacted by Parliament and regula-

tions introduced by the Government from time to time under the authority granted by the Immigration Act. The Committee sees no alternative but to maintain a balance between a basic act which establishes the framework of principle and regulations which set out the procedures for putting the principles into effect.

177. However, as the Green Paper admitted, "*the essential criteria governing admissions to Canada are dispersed through the [present] Act and Regulations [somewhat haphazardly]. This makes it unnecessarily complicated for anyone who merely reads the Act to grasp the fundamental principles and conditions that surround the admission of immigrants and non-immigrants*" (Green Paper I, p. 66). Therefore, the Committee recommends that a new Immigration Act contain in its initial provisions a clear statement of principles and objectives including those pertaining to admission, non-discrimination, sponsorship of relatives, refugees, and the prohibition of certain classes of persons. Operational details and procedures should be specified in regulations. These should continue to be published in the Canada Gazette, and presented as well in a form readily accessible to the public and available to prospective immigrants. Significant changes in regulations should be explained and defended before the Standing Committee on Labour, Manpower and Immigration; where possible this should be done before they are put into effect. The Committee objects to the practice of in effect issuing regulations in the guise of confidential departmental directives.

178. The Committee noted that Minister's Permits were used in more than 16,000 instances in 1974 to supercede in special circumstances certain provisions of the Act and regulations; many of these were for refugees. With the new Act there may be considerably less need for recourse to Minister's Permits. Nevertheless, the Committee wishes to see the discretionary power provided by Minister's Permits retained because it allows for an element of flexibility sometimes needed to ensure humane treatment of exceptional cases.

Respectfully submitted,

MAURICE RIEL,
Joint Chairman.



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Journals of the Senate

No. 127

Wednesday, 12th November, 1975

8.00 o'clock p.m.

The Honourable MAURICE BOURGET, P.C., Speaker, *pro tem.*

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Fournier	Langlois,	Petten,
Austin,	Croll,	(Restigouche-	Lefrançois,	Prowse,
Basha,	Denis,	Gloucester),	Lucier,	Quart,
Beaubien,	Deschatelets,	Godfrey,	Macnaughton,	Riley,
Bélisle,	Desruisseaux,	Goldenberg,	Manning,	Robichaud,
Benidickson,	Duggan,	Graham,	McDonald,	Rowe,
Bourget,	Eudes,	Hayden,	McGrand,	Smith
Cameron,	Everett,	Hicks,	McNamara,	(Colchester),
Carter,	Flynn,	Inman,	Michaud,	Stanbury,
Choquette,	Forsey,	Lafond,	Molson,	Thompson,
Connolly	Fournier	Laird,	Norrie,	Walker,
(Ottawa West),	(de Lanaudière),	Lang,	Perrault,	Williams,
				Yuzyk.

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Flynn, P.C.:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Bourget, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator Bourget, P.C., took the Chair.

PRAYERS.

The Honourable the Speaker *pro tem* informed the Senate that the Clerk of the Senate had received a Certificate from the Registrar General of Canada showing that Paul Henry Lucier, Esquire, had been summoned to the Senate.

The Honourable the Speaker *pro tem* informed the Senate that there was a Senator without waiting to be introduced.

The Honourable Senator Lucier was introduced between the Honourable Senator Perrault, P.C., and the Honourable Senator Petten, and having presented Her Majesty's Writ of Summons it was read by the Clerk Assistant, as follows:—

CANADA

WISHART F. SPENCE
Deputy of the Governor General
(G.S.)

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

TO

Our Trusty and Well-beloved
PAUL HENRY LUCIER,
Esquire,

of the City of Whitehorse, in the Yukon Territory,

GREETING:

KNOW YOU, that as well for the especial trust and confidence We have manifested in you, as for the purpose of obtaining your advice and assistance in all weighty and arduous affairs which may the State and Defence of Canada concern, We have thought fit to summon you to the Senate of Canada.

AND WE do command you, that all difficulties and excuses whatsoever laying aside, you be and appear for the

purposes aforesaid, in the Senate of Canada at all times whensoever and wheresoever Our Parliament may be in Canada convoked and holden, and this you are in no wise to omit.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed.

WITNESS: The Honourable Wishart F. Spence, O.B.E., a Puisne Judge of the Supreme Court of Canada and Deputy of Our Right Trusty and Well-beloved Jules Léger, Chancellor and Principal Companion of Our Order of Canada, Chancellor and Commander of Our Order of Military Merit upon whom We have conferred Our Canadian Forces' Decoration, Governor General and Commander-in-Chief of Canada.

AT OTTAWA, this twenty-third day of October, in the year of Our Lord one thousand nine hundred and seventy-five and in the twenty-fourth year of Our Reign.

BY COMMAND,

ANDRÉ OUELLET,
Registrar General of Canada.

Ordered, That the Writ be placed upon the Journals.

The Honourable Senator Lucier came to the Table and took and subscribed the Oath prescribed by law, which was administered by the Clerk of the Senate, the Commissioner appointed for that purpose, and took his seat as a Member of the Senate.

The Honourable the Speaker *pro tem* informed the Senate that the Honourable Senator Lucier had made and subscribed the Declaration of Qualification required of him by *The British North America Act, 1867*, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said Declaration.

With leave of the Senate,

The Honourable Senator Croll moved, seconded by the Honourable Senator Walker, P.C.:

That the ganging up in the United Nations of member countries from Africa in particular and from other parts of the World to bring about the adoption of resolutions in the United Nations which are contrary to the principles inherent in the Charter and which are unjust to the nations against whom they are directed is dangerous to the continued existence, even survival of the United Nations.

And further that in the opinion of this House the iniquitous resolution passed by the United Nations Assembly last week against which Canada cast its vote which denounced the State of Israel as a racist nation is, in the opinion of this House, unmerited, untrue and deserving of the unqualified condemnation by this House and by all peoples who believe in freedom and world peace.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, November 6, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Reid has been substituted for that of Mr. Railton on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-65, intituled: "An Act to amend the statute law relating to income tax, (No. 2)", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 18th November, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The following petition was presented:—

By the Honourable Senator Prowse:

Of Ronald Thomas Curtis, Henry George De Cuypere and others of the City of Winnipeg, in the Province of Manitoba, and others of elsewhere, praying to be incorporated under the English name of Northland Bank, and under the French name of Norbanque.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of External Affairs for the year ended December 31, 1974, pursuant to section 6 of the *Department of External Affairs Act*, Chapter E-20, R.S.C., 1970.

Copies of letters addressed by the Prime Minister of Canada to Provincial Premiers relating to Foreign Ownership of Land, dated September 5, 1975.

Supplementary Estimates (A) for the fiscal year ending March 31, 1976.

With leave of the Senate

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting tomorrow, Thursday, 13th November, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Macnaughton, P.C., seconded by the Honourable Senator Cook, for the second reading of the Bill C-25, intituled: "An Act to protect human health and the environment from substances that contaminate the environment".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Connolly, P.C., that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill S-30, intituled: "An Act to incorporate Continental Bank of Canada".

The Honourable Senator Hayden moved, seconded by the Honourable Senator Langlois, that the Report be adopted now.

After debate,

In amendment, the Honourable Senator Lang moved, seconded by the Honourable Senator Inman, that the Report be not now adopted, but that it be referred back to the Standing Senate Committee on Banking, Trade and Commerce for further consideration of the Bill in respect of the name of the proposed Bank.

After debate, and—

The question being put on the motion in amendment, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of

the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Basha, for the adoption of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 128

Thursday, 13th November, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Côté,	Fournier	Lapointe,	Petten,
Austin,	Cottreau,	(Restigouche-	Lefrançois,	Prowse,
Basha,	Croll,	Gloucester),	Lucier,	Quart,
Beaubien,	Davey,	Godfrey,	Macnaughton,	Riley,
Bélisle,	Denis,	Goldenberg,	Manning,	Robichaud,
Benidickson,	Deschatelets,	Greene,	McDonald,	Rowe,
Bourget,	Desruisseaux,	Hayden,	McGrand,	Smith
Buckwold,	Duggan,	Hicks,	McIlraith,	(Colchester),
Cameron,	Eudes,	Inman,	McNamara,	Stanbury,
Carter,	Flynn,	Lafond,	Michaud,	Thompson,
Choquette,	Forsey,	Laird,	Molson,	Walker,
Connolly	Fournier	Lang,	Norrie,	Williams,
(Ottawa West),	(de Lanaudière),	Langlois,	Perrault,	Yuzyk.
Cook,				

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of a contract between the Government of Canada and the Municipality of Buctouche, New Brunswick, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (French text).

The following petition was read and received:—

Of Ronald Thomas Curtis, Henry George De Cuypere and others of the City of Winnipeg, in the Province of Manitoba, and others of elsewhere; praying to be incorporated under the English name of Northland Bank, and under the French name of Norbanque.

The Clerk of the Senate laid on the Table the ninth report of the Examiner of Petitions for Private Bills, as follows:—

THURSDAY, November 13, 1975.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his ninth report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of Ronald Thomas Curtis, Henry George De Cuypere and others of the City of Winnipeg, in the Province of Manitoba, and others of elsewhere; praying to be incorporated under the English name of Northland Bank, and under the French name of Norbanque.

E. R. HOPKINS,
Examiner of Petitions for Private Bills.

The Honourable Senator Hayden, from the Standing Senate Committee on Banking, Trade and Commerce, to which was referred back the Report of the said Committee on the Bill S-30, intituled: "An Act to incorporate Continental Bank of Canada", presented the following Report:—

THURSDAY, November 13, 1975.

The Standing Senate Committee on Banking, Trade and Commerce to which was referred back for further consideration the Report on Bill S-30, intituled: "An Act to incorporate Continental Bank of Canada", presented to the Senate on November 6, 1975, has in obedience to the order of reference of November 12, 1975, re-examined

the said Report and recommends its adoption by the Senate.

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.

With leave of the Senate,

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 18th November, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both

dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Choquette for the Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Smith (*Colchester*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Basha, for the adoption of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 129

Tuesday, 18th November, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Fournier	Lefrançois,	Phillips,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Macdonald,	Prowse,
Barrow,	Croll,	<i>Gloucester</i>),	Macnaughton,	Riley,
Basha,	Davey,	Godfrey,	Manning,	Robichaud,
Beaubien,	Denis,	Goldenberg,	McDonald,	Smith
Bélisle,	Deschatelets,	Graham,	McElman,	(<i>Colchester</i>),
Benidickson,	Desruisseaux,	Grosart,	McGrand,	Smith
Bonnell,	Duggan,	Haig,	McIlraith,	(<i>Queens-</i>
Bourget,	Eudes,	Hayden,	McNamara,	<i>Shelburne</i>),
Buckwold,	Flynn,	Hicks,	Molgat,	Sparrow,
Burchill,	Forsey,	Inman,	Molson,	Stanbury,
Carter,	Fournier	Lafond,	Neiman,	Sullivan,
Choquette,	(<i>de Lanaudière</i>),	Laird,	Norrie,	Thompson,
Connolly	Fournier	Lang,	Paterson,	van Roggen,
(<i>Ottawa West</i>),	(<i>Madawaska-</i>	Langlois,	Perrault,	Walker,
Cook,	<i>Restigouche</i>),	Lapointe,	Petten,	Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Canadian Saltfish Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 32 of the *Saltfish Act*, Chapter 37 (1st Supplement), and section 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Superintendent of Insurance for Canada on Small Loans Companies and Money-Lenders licensed under the *Small Loans Act* for the year ended December 31, 1974.

Report of the Superintendent of Insurance for Canada on Co-operative Credit Societies for the year ended December 31, 1974, pursuant to section 57 of the *Co-operative Credit Associations Act*, Chapter C-29, R.S.C., 1970.

Copies of a contract between the Government of Canada and the Town of Yarmouth, Nova Scotia, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting tomorrow, Wednesday, 19th November, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-65, intituled: "An Act to amend the statute law relating to income tax, (No. 2)", be read the second time.

After debate,

The Honourable Senator Smith (*Colchester*) moved, seconded by the Honourable Senator Asselin, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of

the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Basha, for the adoption of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate.

After debate,

The Honourable Senator Argue moved, seconded by the Honourable Senator Duggan, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon the subject-matter of the Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada", in advance of the said Bill coming before the Senate, or any matter relating thereto; and

That the Committee have power to engage the services of such counsel, staff and technical advisers as may be necessary for the purpose of the said examination.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 130

Wednesday, 19th November, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Burchill,
Carter,
Choquette,
Cook,
Cottreau,

Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),
Fournier
(*Madawaska-
Restigouche*),

Fournier
(*Restigouche-
Gloucester*),
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hayden,
Hicks,
Lafond,
Laird,
Lang,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Paterson,

Perrault,
Petten,
Phillips,
Quart,
Riley,
Robichaud,
Smith
(*Colchester*),
Smith (*Queens-
Shelburne*),
Sparrow,
Sullivan,
Thompson,
van Roggen,
Walker,
Yuzyk.

PRAYERS.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purposes of its examination and consideration of such legislation and other matters as may be referred to it.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-65, intituled: "An Act to amend the statute law relating to income tax, (No. 2)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Basha, for the adoption of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator McDonald being called,

It was—

Ordered, That it be postponed until later this day.

The Honourable Senator Bourget, P.C., called the attention of the Senate to the Twenty-seventh Session of the Parliamentary Assembly of the Council of Europe held in Strasbourg, France, from 6th to 8th October, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada.

Debated.

An inquiry standing in the name of the Honourable Senator McDonald being again called,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois:

That a special committee of the Senate be appointed to examine and report upon the privileges and immunities that apply to members of the Senate within the precincts of the Senate, and the powers of the Speaker in respect thereof,

After debate,

The Honourable Senator Croll moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that further debate on the motion be adjourned until Tuesday, next, 25th November, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 131

Thursday, 20th November, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Cook,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),

Fournier
(*Madawaska-
Restigouche*),
Fournier
(*Restigouche-
Gloucester*),
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hayden,
Hays,

Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Neiman,
Perrault,
Petten,
Phillips,

Prowse,
Quart,
Riley,
Robichaud,
Smith
(*Colchester*),
Smith
(*Queens-
Shelburne*),
Sparrow,
Stanbury,
Thompson,
van Roggen,
Walker,
Yuzik.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, November 7, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that Bill C-52, An Act to amend the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Superannuation Act, the Royal Canadian Mounted Police Pension Continuation Act, the Diplomatic Service (Special) Superannuation Act, the Members of Parliament Retiring Allowances Act, the Governor General's Retiring Annuity Act, the Judges Act, the Tax Review Board Act and the Supplementary Retirement Benefits Act, has been referred to the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Director of Investigation and Research, *Combines Investigation Act*, for the fiscal year ended March 31, 1975, pursuant to section 49 of the said Act, Chapter C-23, R.S.C., 1970.

Copies of Order in Council P.C. 1975-2599, dated November 7, 1975, amending Part II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill C-25, intituled: "An Act to protect human health and the environment from substances that contaminate the environment", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 24th November, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting on Tuesday, 25th November, and Wednesday, 26th November, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Legal and Constitutional Affairs have power to sit while the Senate is sitting on Tuesday next, 25th November, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-65, intituled: "An Act to amend the statute law relating to income tax, (No. 2)".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C., that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the Senate concurs in the reference by the House of Commons of the Bill C-52, intituled: "An Act to amend

the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Superannuation Act, the Royal Canadian Mounted Police Pension Continuation Act, the Diplomatic Service (Special) Superannuation Act, the Members of Parliament Retiring Allowances Act, the Governor General's Retiring Annuity Act, the Judges Act, the Tax Review Board Act and the Supplementary Retirement Benefits Act", to the Special Joint Committee on Employer-Employee Relations in the Public Service.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate reverted to Orders of the Day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Basha, for the adoption of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Petten for the Honourable Senator Lang moved, seconded by the Honourable Senator Carter, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 132

Monday, 24th November, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Basha,
Beaubien,
Benidickson,
Bonnell,
Bourget,
Cameron,
Choquette,
Connolly
(Ottawa West),

Cook,
Cottreau,
Croll,
Denis,
Duggan,
Eudes,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Goldenberg,
Graham,
Grosart,
Haig,
Hicks,
Inman,
Laird,

Lamontagne,
Lang,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McElman,
McGrand,
McIlraith,
McNamara,

Michaud,
Norrie,
Petten,
Prowse,
Riley,
Rowe,
Smith
(Queens-
Shelburne),
Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, November 20, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. McKinnon has been substituted for that of Mr. Dinsdale on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

FRIDAY, November 21, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Lambert (Edmonton West) has been substituted for that of Mr. Baker (Grenville-Carleton) on the List of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Petten laid on the Table the following:—

Report of the National Energy Board entitled: "Canadian Oil-Supply and Requirements", dated September 1975.

Report of the Advisory Committee on Food Safety Assessment, dated November 1975 and issued by the Department of National Health and Welfare.

Report of the Bilingual Districts Advisory Board appointed under the *Official Languages Act*, dated October 1, 1975.

Pursuant to the Order of the Day, the Honourable Senator Petten moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-25, intituled: "An Act to protect human health and the environment from substances that contaminate the environment", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Basha, for the adoption of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Rowe resumed the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

After debate,

The Honourable Senator McElman moved, seconded by the Honourable Senator Cottreau, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Petten moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 133

Tuesday, 25th November, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Croll,	Goldenberg,	Lapointe,	Petten,
Asselin,	Denis,	Graham,	Lefrançois,	Phillips,
Basha,	Duggan,	Greene,	Macdonald,	Quart,
Beaubien,	Eudes,	Grosart,	Macnaughton,	Riel,
Bell,	Flynn,	Haig,	McElman,	Riley,
Bonnell,	Forsey,	Hayden,	McGrand,	Rowe,
Bourget,	Fournier	Hicks,	McIlraith,	Smith (<i>Queens-</i>
Choquette,	(<i>de Lanaudière</i>),	Inman,	McNamara,	<i>Shelburne</i>),
Connolly	Fournier	Laird,	Neiman,	Stanbury,
(<i>Ottawa West</i>),	<i>Restigouche-</i>	Lamontagne,	Norrie,	Walker,
Cook,	<i>Gloucester</i>),	Lang,	Paterson,	Williams,
Cottreau,	Godfrey,	Langlois,	Perrault,	Yuzyk.

PRAYERS.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-65, intituled: "An Act to amend the statute law relating to income tax, (No. 2)", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Flynn, P.C., resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois:

That a special committee of the Senate be appointed to examine and report upon the privileges and immunities that apply to members of the Senate within the precincts of the Senate, and the powers of the Speaker in respect thereof,

It was—

Ordered, That it be postponed until Tuesday, 9th December, 1975.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Basha, for the adoption of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 134

Wednesday, 26th November, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lang,	Petten,
Asselin,	Côté,	(<i>Restigouche-</i>	Langlois,	Phillips,
Austin,	Cottreau,	<i>Gloucester</i>),	Lapointe,	Quart,
Barrow,	Croll,	Godfrey,	Lefrançois,	Riel,
Basha,	Denis,	Goldenberg,	Macnaughton,	Rowe,
Beaubien,	Deschatelets,	Graham,	McElman,	Smith
Bélisle,	Desruisseaux,	Greene,	McGrand,	(<i>Colchester</i>),
Benidickson,	Duggan,	Grosart,	McIlraith,	Smith (<i>Queens-</i>
Bourget,	Eudes,	Haig,	McNamara,	<i>Shelburne</i>),
Buckwold,	Flynn,	Hayden,	Michaud,	Stanbury,
Carter,	Forsey,	Inman,	Molson,	Thompson,
Choquette,	Fournier	Lafond,	Neiman,	Walker,
Connolly	(<i>de Lanaudière</i>),	Laird,	Norrie,	Williams,
(<i>Ottawa West</i>),		Lamontagne,	Paterson,	Yuzyk.

PRAYERS.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the name of the Honourable Senator McIlraith be removed from the list of Senators serving on the Standing Joint Committee on the Library of Parliament; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-65, intituled: "An Act to amend the statute law relating to income tax, (No. 2)", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until Wednesday next, 3rd December, 1975.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until Wednesday next, 3rd December, 1975.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of

the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Molson, seconded by the Honourable Senator Basha, for the adoption of the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, recommending certain amendments to the Rules of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 135

Thursday, 27th November, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bell,
Benidickson,
Bourget,
Buckwold,
Carter,
Choquette,

Connolly
(Ottawa West),
Cook,
Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hayden,
Inman,
Laird,
Lamontagne,
Lang,

Langlois,
Lapointe,
Lefrançois,
Macnaughton,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,
Norrie,
Petten,

Phillips,
Quart,
Riley,
Robichaud,
Rowe,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Stanbury,
Thompson,
Williams,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill S-10, intituled: "An Act to amend the Feeds Act",

And to acquaint the Senate that the Commons have passed this Bill with three amendments to which they desire the concurrence of the Senate.

The amendments were then read by the Clerk Assistant as follows:—

1. *Page 1, lines 20 and 21.* Strike out lines 20 and 21 and substitute the following therefor:
 "(c) for the purpose of preventing or correcting nutritional disorders of livestock;"
2. *Page 3, line 6.* Strike out line 6 and substitute the following therefor:
 "10. (1) Every person who"
3. *Page 3, lines 18 to 30.* Strike out lines 18 to 30 and substitute the following therefor:
 "(1.1) Where a corporation commits an offence under this Act or the Regulations, any director or officer of the corporation who authorizes or acquiesces in the offence or fails to exercise due diligence to prevent its commission is guilty of an offence and liable to the punishment provided for in subsection (1)."

The Honourable Senator Langlois moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that the amendments be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
 Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-76, intituled: "An Act to wind up The King George V Silver Jubilee Cancer Fund for Canada and to authorize the sale of the assets and securities of the Fund and to transfer the sale proceeds and the balance of moneys to the National Cancer Institute of Canada", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 2nd December, 1975.

The question being put on the motion, it was—
 Resolved in the affirmative.

The Honourable Senator Langlois laid on the Table the following:—

Statement showing Classification of Loans in Canadian Currency of the Chartered Banks of Canada as at Sep-

tember 30, 1975, pursuant to section 119(1) of the *Bank Act*, Chapter B-1, R.S.C., 1970.

Report of The Fisheries Research Board of Canada for the year ended December 31, 1974, pursuant to section 12 of the *Fisheries Research Board Act*, Chapter F-24, R.S.C., 1970.

Report of the Department of Transport for the fiscal year ended March 31, 1975, pursuant to section 34 of the *Department of Transport Act*, Chapter T-15, R.S.C., 1970.

Report of the Minister of Finance respecting Olympic coins for the six months ended September 30, 1975, pursuant to sections 13(1) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

Report of the Federal-Provincial Committee on Foreign Ownership of Land to the First Ministers, dated September 21, 1975.

Copy of the James Bay Agreement.

With leave of the Senate,
 The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 2nd December, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
 Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Agriculture on Crop Insurance.

The Honourable Senator Argue moved, seconded by the Honourable Senator McNamara, that the Report be adopted now.

After debate,

The Honourable Senator Michaud moved, seconded by the Honourable Senator Laird, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Forsey called the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe.

After debate,

The Honourable Senator Yuzyk moved, seconded by the Honourable Senator Grosart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 136

Tuesday, 2nd December, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(Ottawa West),
Cook,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Fournier
(de Lanaudière),

Fournier
(Madawaska-
Restigouche),
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Hays,
Inman,
Lafond,
Laird,
Lang,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,
Norrie,
Paterson,
Petten,

Phillips,
Riley,
Robichaud,
Rowe,
Smith
(Colchester),
Smith
(Queens-
Shelburne),
Sparrow,
Stanbury,
van Roggen,
Walker,
Yuzyk.

PRAYERS.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

DECEMBER 2, 1975.

Madam,

I have the honour to inform you that the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 2nd day of December at 8.00 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE
Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Right Honourable the Deputy of His Excellency the Governor General, it was,—

Resolved in the affirmative.

After awhile, the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Right Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to amend the statute law relating to income tax, (No. 2)

An Act to protect human health and the environment from substances that contaminate the environment

An Act to provide for the payment of superannuation benefits to Lieutenant Governors.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Right Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Right Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate resumed.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, November 27, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Lambert (*Bellechasse*) has been substituted for that of Mr. Dionne (*Kamouraska*) on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Petten laid on the Table the following:—

Copies of Ordinances passed by the Council of the Yukon Territory at its 1974 Second Session, pursuant to section 20(1) of the *Yukon Act*, Chapter Y-2, R.S.C., 1970.

Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, pursuant to section 18(1) of the said Act, Chapter C-31, R.S.C., 1970.

Report of the Textile and Clothing Board, dated July 8, 1975, to the Minister of Industry, Trade and Commerce, pursuant to section 19 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting broadwoven filament rayon fabrics.

Report of the National Film Board of Canada, including its accounts and financial statements certified by the

Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 20(2) of the *National Film Act*, Chapter N-7, R.S.C., 1970.

Copies of the Final Act of the Conference on Security and Co-operation in Europe (CSCE), done at Helsinki, August 1, 1975, together with a statement thereon by the Secretary of State for External Affairs.

The Honourable Senator Côtteau for the Honourable Senator Forsey from the Standing Joint Committee on Regulations and other Statutory Instruments, presented its Sixth Report as follows:—

TUESDAY, December 2, 1975.

The Standing Joint Committee on Regulations and other Statutory Instruments has the honour to present its Sixth Report as follows:

In relation to its Orders of Reference dated Thursday, December 19, 1974: namely "Guidelines for Motions for the Production of Papers" and "the subject-matter of Bill C-225, An Act respecting the right of the public to information concerning the public business";

Your Committee recommends that members of the Committee, accompanied by the necessary supporting staff, be authorized to travel outside of Canada, namely to Washington, D.C., U.S.A.

Respectfully submitted,

EUGENE A. FORSEY,
Joint Chairman.

The Honourable Senator Côtteau for the Honourable Senator Forsey moved, seconded by the Honourable Senator Austin, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act".

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden, that the amendments be concurred in.

After debate,

The Honourable Senator Argue moved, seconded by the Honourable Senator McNamara, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Côtteau moved, seconded by the Honourable Senator Austin, that the Bill C-76, intituled: "An Act to wind up The King George V Silver Jubilee Cancer Fund for Canada and to authorize the sale of the assets and securities of the Fund and to transfer the sale proceeds and the balance of moneys to the National Cancer Institute of Canada", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Côtteau moved, seconded by the Honourable Senator Austin, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator McNamara, for the adoption of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Croll,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 137

Wednesday, 3rd December, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Connolly	Fournier	Lang,	Petten,
Asselin,	(Ottawa West),	(de Lanaudière),	Langlois,	Phillips,
Austin,	Cook,	Fournier	Lapointe,	Quart,
Barrow,	Côté,	(Madawaska-	Lefrançois,	Riley,
Basha,	Cottreau,	Restigouche),	Macdonald,	Robichaud,
Beaubien,	Croll,	Godfrey,	McDonald,	Rowe,
Bélisle,	Davey,	Goldenberg,	McGrand,	Smith (Colchester),
Benidickson,	Denis,	Grosart,	McIlraith,	Smith
Bonnell,	Deschatelets,	Hastings,	McNamara,	(Queens-
Bourget,	Duggan,	Hayden,	Michaud,	Shelburne),
Buckwold,	Eudes,	Hays,	Molson,	Sparrow,
Cameron,	Everett,	Inman,	Neiman,	Stanbury,
Carter,	Flynn,	Lafond,	Norrie,	van Roggen,
Choquette,	Forsey,	Laird,	Paterson,	Walker,
		Lamontagne,	Perrault,	Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Postmaster General respecting Olympic coins for the period ended September 30, 1975, pursuant to sections 13(2) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting today, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cottreau moved, seconded by the Honourable Senator Austin, that the Bill C-76, intituled: "An Act to wind up The King George V Silver Jubilee Cancer Fund for Canada and to authorize the sale of the assets and securities of the Fund and to transfer the sale proceeds and the balance of moneys to the National Cancer Institute of Canada", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Hayden, for concurrence in the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the *Feeds Act*",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the *National Defence Act* and the *Criminal Code* (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the *Criminal Code* (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Sixth Report of the Standing Joint Committee on Regulations and other Statutory Instruments.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Lafond, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees.

After debate,

The Honourable Senator Robichaud, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator McNamara, for the adoption of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator McDonald called the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada.

After debate,

The Honourable Senator Macdonald for the Honourable Senator Yuzyk moved, seconded by the Honourable Senator Grosart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Bonnell called the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada.

After debate,

The Honourable Senator Macdonald for the Honourable Senator Grosart moved, seconded by the Honourable Senator Asselin, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 138

Thursday, 4th December, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Choquette,	Forsey,	Lang,	Petten,
Austin,	Cook,	Fournier	Langlois,	Phillips,
Barrow,	Côté,	(<i>de Lanaudière</i>),	Lapointe,	Quart,
Basha,	Cottreau,	Godfrey,	Lefrançois,	Riley,
Beaubien,	Croll,	Goldenberg,	Macdonald,	Robichaud,
Bélisle,	Davey,	Graham,	McDonald,	Rowe,
Benidickson,	Denis,	Greene,	McGrand,	Smith (<i>Colchester</i>),
Bonnell,	Deschatelets,	Grosart,	McIlraith,	Smith (<i>Queens-</i>
Bourget,	Duggan,	Hayden,	McNamara,	<i>Shelburne</i>),
Buckwold,	Eudes,	Hays,	Michaud,	Stanbury,
Cameron,	Everett,	Lafond,	Molson,	van Roggen,
Carter,	Flynn,	Laird,	Norrie,	Walker,
			Perrault,	Yuzyk.

PRAYERS.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 4, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade and Commerce for the expenditures of the said Committee, with respect to its examination of Bill C-65, intituled: "An Act to amend the statute law relating to income tax, (No. 2)", as authorized by the Senate on the 19th November, 1975. The said budget is as follows:

Professional and Special Services	\$ 415.00
Transportation and communications	70.00
Printing	\$5,220.00
	<hr/>
	\$5,705.00

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 4, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade and Commerce for the expenditures of the said Committee, with respect to its examination of Bill C-2, intituled: "An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code", as authorized by the Senate on the 19th November, 1975. The said budget is as follows:

Professional and Special Services	\$ 4,920.00
Transportation and Communications	1,560.00
Printing	20,880.00
Other Expenditures	500.00
	<hr/>
	\$27,860.00

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 4, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade and Commerce for the proposed expenditures of the said Committee, with respect to its examination and report upon the subject-matter of the Bill C-60, intituled: "An Act respecting bankruptcy and insolvency", in advance of the said Bill coming before the Senate, or any matter relating thereto, as authorized by the Senate on the 13th May, 1975. The said budget is as follows:

Professional and Special Services	\$ 6,010.00
Transportation and Communications	1,130.00
Printing	20,880.00
Other Expenditures	500.00
	<hr/>
	\$28,520.00

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 4, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade and Commerce for the proposed expenditures of the said Committee with respect to its examination and report upon the subject-matter of the Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada", in advance of the said Bill coming before the Senate, or any matter relating thereto, as authorized by the Senate on the 18th November, 1975. The said budget is as follows:

Professional and Special Services	\$11,160.00
Transportation and Communications	2,240.00
Information—Printing	62,640.00
Other Expenditures	750.00
	<hr/>
	\$76,790.00

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, December 4, 1975

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the

supplementary budget presented to it by the Joint Chairman of the Standing Joint Committee of the Senate and House of Commons on Regulations and Other Statutory Instruments for the proposed expenditures of the said Standing Joint Committee with respect to its review and scrutiny of statutory instruments pursuant to the report adopted by the Senate on 29th October, 1974. The proposed expenditures will be shared by the two Houses on the following basis:

House of Commons	70%
The Senate	30%

The said budget is as follows:

Professional and Special Services	\$76,700
Transportation and Communications	4,000
All Other Expenditures	2,000
	<hr/>
	\$82,700

Respectfully submitted,

KEITH LAIRD,
Chairman.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting on Monday next, 8th December, 1975, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 8th December, 1975, at two o'clock in the afternoon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Flynn, P.C.:

That the name of the Honourable Senator Yuzyk be substituted for that of the Honourable Senator Phillips on the list of Senators serving on the Standing Joint Committee on Regulations and other Statutory Instruments; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Flynn, P.C.:

That the name of the Honourable Senator Smith (*Colchester*) be substituted for that of the Honourable Senator Macdonald on the list of Senators serving on the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada", be read the second time.

After debate,

The Honourable Senator Austin moved, seconded by the Honourable Senator Carter, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Hayden, for concurrence in the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada.

After debate,

The Honourable Senator Lafond moved, seconded by the Honourable Senator Forsey, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue,

seconded by the Honourable Senator McNamara, for the adoption of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the White Paper entitled: "Attack on Inflation—a program of national action", together with a booklet giving the highlights of the Government's anti-inflation program, both dated October 14, 1975, tabled in the Senate on Tuesday, 21st October, 1975.

Debated.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 139

Monday, 8th December, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Basha,
Beaubien,
Bélisle,
Bell,
Benidickson,
Cameron,
Carter,
Choquette,
Cook,

Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),

Fournier
(*Restigouche-
Gloucester*),
Greene,
Grosart,
Hayden,
Lafond,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,

Macnaughton,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Norrie,
Paterson,
Perrault,
Petten,
Phillips,

Quart,
Riley,
Robichaud,
Smith
(*Colchester*),
Smith
(*Queens-
Shelburne*),
Sparrow,
Stanbury,
van Roggen,
Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 4, 1975.

Ordered.—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Marchand (*Kamloops-Cariboo*), Lapointe and Langlois have been substituted for those of Messrs. Francis, Gauthier (*Ottawa-Vanier*) and O'Connell on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 4, 1975.

Ordered.—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Baker (*Grenville-Carleton*) and Francis have been substituted for those of Messrs. Munro (*Esquimalt-Saanich*) and Daudlin on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-1002, intituled: "An Act to incorporate the Northland Bank", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Cameron moved, seconded by the Honourable Senator Lefrançois, that the Bill be placed on the Orders of the Day for a second reading on Wednesday next, 10th December, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois laid on the Table the following:—

Copies of Report of the Industrial Inquiry Commission under the *Canada Labour Code* into the Grain Handling

Industry in the Vancouver Port Area (The Honourable Mr. Justice E. D. Bayda, Commissioner), dated July 1975.

Report of the Atomic Energy Control Board of Canada for the fiscal year ended March 31, 1975, pursuant to section 20(1) of the *Atomic Energy Control Act*, Chapter A-19, R.S.C., 1970.

Copies of correspondence between the Prime Minister of Canada and the Premier of Saskatchewan concerning federal development assistance to that Province.

Report of the Department of Regional Economic Expansion for the fiscal year ended March 31, 1975, pursuant to section 22 of the *Department of Regional Economic Expansion Act*, Chapter R-4, R.S.C., 1970.

A Message was brought from the House of Commons by their Clerk to return the Bill S-27, intituled: "An Act to amend the Canadian Overseas Telecommunication Corporation Act",

And to acquaint the Senate that the Commons have passed this Bill, without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-74, intituled: "An Act to amend the Regional Development Incentives Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden, that the Bill be placed on the Orders of the Day for a second reading on Wednesday next, 10th December, 1975.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada".

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Hayden, for concurrence in the amendments made by the House of Com-

mons to the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling

the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator McNamara, for the adoption of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eight o'clock p.m., it was—

Resolved in the affirmative.

4.00 p.m.

The sitting of the Senate was resumed.

8.00 p.m.

The Honourable Senator Molson moved, seconded by the Honourable Senator Desruisseaux:

That the amendments to the Rules of the Senate contained in the Report of the Standing Committee on Stand-

ing Rules and Orders, dated October 29, 1975, and adopted by the Senate on November 26, 1975, shall come into force on the first day of the Second Session of the Thirtieth Parliament.

With leave of the Senate and pursuant to Rule 23, the motion was modified to read as follows:

That the amendments to the Rules of the Senate contained in the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, and adopted by the Senate on November 26, 1975, shall come into force on the first day of the Second Session of the Thirtieth Parliament; and

That the Rules of the Senate, as amended, be reprinted in the English and French languages in conformity with the arrangement, style, numbering and lettering used in the Statutes of Canada, with a detailed index, an appendix showing the bibliography of related statutes and an appendix containing the relevant forms of proceedings.

The question being put on the motion, as modified, it was—

Resolved in the affirmative.

Pursuant to Order, the Senate resumed the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada".

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Asselin, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Stanbury for the Honourable Senator Buckwold from the Special Joint Committee on Employer-Employee Relations in the Public Service, tabled the Fifth Report of the said Special Joint Committee, as follows:—

MONDAY, December 8, 1975.

The Special Joint Committee on Employer-Employee Relations in the Public Service has the honour to present its Fifth Report as follows:

Pursuant to the Order of Reference of the House of Commons of Friday, November 7, 1975, your Committee

has considered Bill C-52, An Act to amend the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Superannuation Act, the Royal Canadian Mounted Police Pension Continuation Act, the Diplomatic Service (Special) Superannuation Act, the Members of Parliament Retiring Allowances Act the Governor General's Retiring Annuity Act, the Judges Act, the Tax Review Board Act and the Supplementary Retirement Benefits Act and has agreed to report it with the following amendments:

Clause 9

Strike out line 19 on page 11 and substitute the following therefor:

"(i) if the contributor named his estate as his beneficiary or named another"

Strike out line 26 on page 12 and substitute the following therefor:

"deceased the contributor.

(5.1) The Treasury Board may, in its discretion, notwithstanding any direction made by the Board under subsection (5), direct that an annual allowance payable to a widow be apportioned among several applicants for the allowance, in which case any direction made under subsection (5) shall be deemed to be revoked.

(5.2) Any direction made under subsection (5.1) may from time to time be reviewed and varied."

Clause 11

Strike out line 2 on page 14 and substitute the following therefor:

"(c) if the contributor named his estate as his beneficiary or named another bene—"

Clause 23

Strike out lines 14 to 24 on page 23 and substitute the following therefor:

"to be the widow of a contributor, that the widow of a contributor be deemed to have predeceased him or that any annual allowance payable to a widow be apportioned, in similar circumstances, the Treasury Board may, for the purpose of determining entitlement under Part II to any benefit payable to the widow of a participant as such, direct that a woman be deemed to be the widow of the participant or that the widow of the participant be deemed to have predeceased him, as the case may be, and may apportion the benefit payable under Part II."

Clause 24

Strike out line 32 on page 23 and substitute the following therefor:

"under subsection 50(1), named his estate as his beneficiary or named another bene—"

Strikes out lines 11 to 15 on page 24 and substitute the following therefor:

"his death, to his spouse, unless

(a) she does not survive him;

(b) he names his estate as his beneficiary under any regulations made under paragraphs 50(1) (e.1) and (e.2); or

(c) he names another beneficiary under any regulations made under paragraphs 50(1) (e.1) and (e.2)."

Clause 25

Strike out line 22 on page 24 and substitute the following therefor:

"(e.2) authorizing a contributor to name his estate as his beneficiary and prescribing classes of persons"

Clause 28

Strike out line 17 on page 26 and substitute the following therefor:

"employees in the public service of Canada.

(3) The Governor in Council may, by regulation, provide that the service of an employee of the Institute or the Society in respect of which contributions have been made in anticipation of the addition to Part II of Schedule A to the Public Service Superannuation Act of the Institute or the Society may, to such extent, at such level of remuneration; and subject to such conditions as the regulations may prescribe, be counted by that employee as pensionable service for the purposes of Part I of that Act."

Clause 36

Strike out line 17 on page 32 and substitute the following therefor:

"36. (1) Subsection 9(1) of the said Act is amended by adding the word "or" at the end of paragraph (b) thereof and by adding thereto the following paragraph:

"(c) in the case of a contributor who has to his credit less than six years of pensionable service, the average annual pay received by him during the period of pensionable service to his credit."

(2) All that portion of subsection 9(2)"

Clause 39

Strike out line 25 on page 37 and substitute the following therefor:

"(i) if the contributor named his estate and his beneficiary or named another"

Strike out line 50 on page 38 and substitute the following therefor:

"deceased the contributor.

(5.1) The Treasury Board may, in its discretion, notwithstanding any direction made by the Board

under subsection (5), direct that an annual allowance payable to a widow be apportioned among several applicants for the allowance, in which case any direction made under subsection (5) shall be deemed to be revoked.

(5.2) Any direction made under subsection (5.1) may from time to time be reviewed and varied."

Clause 42

Strike out line 7 on page 41 and substitute the following therefor:

"(c) if the contributor named his estate as his beneficiary or named another bene-"

Clause 43

Strike out line 6 on page 43 and substitute the following therefor:

"into force of this subparagraph,"

(3) Paragraph 20(1) (b) of the said Act is amended by striking out the word "and" at the end of subparagraph (i) thereof and by adding thereto immediately after subparagraph (i) thereof the following subparagraph:

"(i.1) any amount paid to him as a return of contributions under this Act and in respect of that period, and" "

Clause 45

Strike out lines 21 to 33, inclusive, on page 44 and substitute the following therefor:

"45. Subsection 31(3) of the said Act is repealed and the following substituted therefor:

"(3) Where, in any circumstances, the Treasury Board may, for any purpose of the Defence Services Pension Continuation Act or Part I of this Act, direct that a woman be deemed to be the widow of a contributor, that the widow of a contributor be deemed to have predeceased him or that any pension or annual allowance payable to a widow be apportioned, in similar circumstances, the Treasury Board may, for the purpose of determining entitlement under Part II to any benefit payable to the widow of a participant as such, direct that a woman be deemed to be the widow of the participant or that the widow of the participant be deemed to have predeceased him, as the case may be, and may apportion the benefit payable under Part II." "

Clause 46

Strike out line 8 on page 45 and substitute the following therefor:

"under subsection 42(1), named his estate as his beneficiary or named another bene-"

Strike out lines 23 to 27 on page 45 and substitute the following therefor:

"death, to his widow, unless

(a) she does not survive him;

(b) he names his estate as his beneficiary under any regulations made under paragraph 42(1) (d.1) and (d.2); or

(c) he names another beneficiary under any regulations made under paragraphs 42(1) (d.1) and (d.2)."

Clause 47

Strike out line 35 on page 45 and substitute the following therefor:

"(d.2) authorizing a contributor to name his estate as his beneficiary and prescribing classes of per-"

Clause 51

Strike out line 3 on page 49 and substitute the following therefor:

"this Act, to have predeceased the officer.

(3) The Treasury Board may, in its discretion, notwithstanding any direction made by the Board under subsection (2), direct that a pension payable to a widow be apportioned among several applicants for the pension, in which case any direction made under subsection (2) shall be deemed to be revoked.

(4) Any direction made under subsection (3) may from time to time be reviewed and varied."

Clause 57

Strike out line 5 on page 53 and substitute the following therefor:

"57. (1) Subsection 9(1) of the said Act is amended by adding the word "or" at the end of paragraph (b) thereof and by adding thereto the following paragraph:

"(c) in the case of a contributor who has to his credit less than six years of pensionable service, the average annual pay received by him during the period of pensionable service to his credit."

(2) All that portion of subsection 9(2)"

Clause 60

Strike out line 3 on page 60 and substitute the following therefor:

"section 22(1), named his estate as his beneficiary or named another beneficiary"

Strike out lines 12 to 39 on page 60 and substitute the following therefor:

"(3) Subsections 13(4) and (5) of the said Act are repealed and the following substituted therefor:

"(4) For the purposes of this Part, a woman who

(a) establishes to the satisfaction of the Treasury Board that she had, for a period of not less than three years immediately prior to the death of a contributor with whom she had been residing and whom by law she was prohibited from marrying by reason of a previous marriage either of the contributor or of herself to another person, been publicly represented by that contributor as his wife, or

(b) establishes to the satisfaction of the Treasury Board that she had, for a period of not less than one year immediately prior to the death of a contributor with whom she had been residing, been publicly represented by that contributor as his wife, and that at the time of the death of that contributor neither she nor the contributor was married to any other person,

shall, if the Treasury Board so directs, be deemed to be the widow of that contributor and to have become married to him at such time as she commenced being so represented as his wife, and for the purpose of this Part a woman to whom this subsection would apply, but for her marriage to a contributor after such time as she commenced being so represented as his wife, shall, if the Treasury Board so directs, be deemed to have become married to that contributor at the time when, in fact, she commenced being so represented.

(5) If, upon the death of a contribu-

Strike out line 4 on page 61 and substitute the following therefor:

"tributor."

(5.1) The Treasury Board may, in its discretion, notwithstanding any direction made by the Board under subsection (5), direct that an annual allowance payable to a widow be apportioned among several applicants for the allowance, in which case any direction made under subsection (5) shall be deemed to be revoked.

(5.2) Any direction made under subsection (5.1) may from time to time be reviewed and varied."

Clause 63

Strike out line 38 on page 62 and substitute the following therefor:

"22(1), named his estate as his beneficiary or named another beneficiary who may"

Clause 65

Strike out line 38 on page 64 and substitute the following therefor:

"(i.2) authorizing a contributor to name his estate as his beneficiary and prescribing classes of persons."

Clause 73

Strike out line 30 on page 68 and substitute the following therefor:

"to the end of the month in which he ceases to be a child, the annuity being"

Clause 89

Strike out line 22 on page 76 and substitute the following therefor:

"89. (1) Paragraphs 24(2)(c), (d) and (e)"

Strike out line 14 on page 77 and substitute the following therefor:

"section 18(3).

(2) Section 24 of the said Act is further amended by adding thereto the following subsection:

"(3) For the purposes of paragraph 24(1)(a), any period during which a person is a member, after that person has, pursuant to paragraph 22(1)(c) ceased to contribute in respect of his current sessional indemnity, is deemed to be a period of pensionable service to the credit of that person."

Clause 98

Strike out line 1 on page 82 and substitute the following therefor:

"98. (1) Subsection 25(3) of the *Judges Act*,"

Strike out lines 8 to 10 on page 82 and substitute the following therefor:

"suspended in the event of her remarriage.

(3.1) Where payment of an annuity to the wife or widow of a judge has, upon her remarriage, been suspended pursuant to subsection (3) or ceased pursuant to subsection 25(3) of the Revised Statutes of Canada, 1970, c. J-1 or any provision similar to that provision contained in any of the Acts mentioned in paragraph (1)(b); payment of the annuity to the former wife or widow of the judge shall be resumed on the dissolution or annulment of her subsequent marriage or the"

Strike out line 28 on page 82 and substitute the following therefor:

"this Act.

(2) Where an annuity is determined to be payable pursuant to the *Judges Act*, as amended by this Act,

to a person who was not eligible for the annuity immediately prior to the coming into force of this section, the annuity is not payable for any period before the day on which this section came into force."

Your Committee has ordered a reprint of Bill C-52, as amended, for the use of the House of Commons at the report stage.

Respectfully submitted,

SIDNEY L. BUCKWOLD,
Joint Chairman.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Tuesday, 9th December, 1975, at eleven o'clock in the forenoon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 140

Tuesday, 9th December, 1975

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Basha,
Beaubien,
Bélisle,
Bell,
Benidickson,
Carter,
Choquette,
Cook,
Côté,

Cottreau,
Croll,
Denis,
Deschatelets,
Duggan,
Eudes,
Flynn,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),

Goldenberg,
Grosart,
Haig,
Hayden,
Inman,
Lafond,
Lamontagne,
Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,

Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,
Paterson,

Perrault,
Petten,
Phillips,
Quart,
Riley,
Robichaud,
Smith
(*Colchester*),
Smith (*Queens-
Shelburne*),
Sparrow,
van Roggen,
Walker.

PRAYERS.

The Honourable Senator Sparrow, Deputy Chairman, from the Standing Senate Committee on National Finance which was authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1976, presented to the Senate the Report of the said Committee on the said Supplementary Estimates (A).

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 620-625).

The Honourable Senator Sparrow moved, seconded by the Honourable Senator Riley, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois, for the second reading of the Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada".

The debate was interrupted, and—

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately two o'clock p.m., it was—

Resolved in the affirmative. 1.00 p.m.

The sitting of the Senate was resumed. 2.15 p.m.

After further debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Hayden, for con-

currence in the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois:

That a special committee of the Senate be appointed to examine and report upon the privileges and immunities that apply to members of the Senate within the precincts of the Senate, and the powers of the Speaker in respect thereof,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator McNamara, for the adoption of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 618.)

THE ESTIMATES

REPORT OF STANDING SENATE COMMITTEE ON NATIONAL FINANCE
ON SUPPLEMENTARY ESTIMATES (A)

Tuesday, December 9, 1975.

The Standing Senate Committee on National Finance to which the Supplementary Estimates (A) laid before Parliament for the fiscal year ending March 31, 1976, were referred, has in obedience to the order of reference of Tuesday, November 13, 1975, examined the said Supplementary Estimates (A) and reports as follows:

1. In obedience to the foregoing the committee made a general examination of the Supplementary Estimates (A) and heard evidence from the Honourable J. Chrétien, President of Treasury Board and Mr. R. L. Richardson, Assistant Secretary, Program Branch, Treasury Board.

2. These Supplementary Estimates total \$1,750 million of which \$98 million are non-budgetary items, that is to say, loans, investments and advances. The budgetary expenses total \$1,652 million of which \$524 million are statutory items and \$1,127 million represent funds for which Parliament is being asked to provide new authority.

3. After the excessive jump in the Supplementary Estimates and total Estimates for 1974/75 as shown in the following table, your Committee was interested to hear the President of Treasury Board state that the total Supplementary Estimates for 1975/76 would probably be no more than \$2,500 million which would bring the total expenditures for 1975/76 to approximately \$32,000 million. This would mean the growth in expenditures this year would be no more than 15 per cent over last year which is within the goal of 16 per cent mentioned by the President of Treasury Board when he appeared before the committee last Spring in connection with the Main Estimates for 1975/76.

YEARLY ESTIMATES TOTALS

(millions of dollars)

Fiscal Year	Main Estimates	Supplementary Estimates	Total
1969/70	12,467.4	348.8	12,816.2
1970/71	13,752.3	929.6	14,681.9
1971/72	15,340.9	1,305.5	16,646.4
1972/73	16,539.1	1,725.6	18,264.7
1973/74	19,286.5	2,124.9	21,411.4
1974/75	23,297.4	4,935.8	28,233.2
1975/76	29,585.3	1,751.0*	

*Supplementary Estimates (A) only

4. Your committee was pleased to hear that its recommendation, made often over the years, that the increase in federal expenditures should not exceed, as a percentage, the increase in the Gross National Product, has now become long term government policy. In the words of the President of Treasury Board, "We would like as a general policy that the public sector should not take more out of

the economy than is reflected in the growth of the Gross National Product."

5. The larger statutory items under budgetary expenditures in these Supplementary Estimates are as follows:

(a) Finance—\$200 million to meet the increased cost of public debt charges.

(b) National Health and Welfare—\$127.8 million for contributions to the provinces in connection with the health care program and \$45 million for old age security payments in respect of a payment of a spouse's allowance in accordance with the amended Old Age Security Act.

(c) Transport—\$85 million for payments to Railway and Transportation Companies.

(d) National Defence—\$44.9 million for pension contributions and other employee benefits.

6. The larger items to be voted under budgetary expenditures are as follows:

(a) Energy, Mines and Resources—\$385 million for oil compensation payments due, partly, to the increase in the international price of oil in October.

(b) Manpower and Immigration—\$144 million for special employment measures, particularly in the area of job creation.

(c) National Defence—\$133 million, most of which is for increased operating expenses.

(d) Treasury Board—\$112.5 million of which \$100 million is for government contingencies and \$12.5 million for student summer employment in the summer of 1975 including Opportunities for Youth Program.

(e) Finance—\$50.1 million of which \$21 million is for a payment to Saskatchewan relating to the maintenance of the domestic oil price and \$29.1 million for contributions to provinces for disaster relief assistance.

7. The Treasury Board has supplied your committee with a list explaining the \$1 items in the Supplementary Estimates (A) which is attached as Appendix A to this Report.

8. A \$1 item of particular interest to your committee concerns a transfer of \$24 million to provide for the increased operating costs of new and existing Crown-owned accommodation, the renegotiation of existing leases at higher rates and escalation payments in leased accommodation; additional leased accommodation for government departments and agencies; the cost of tenant services for space occupied by the Department of Public Works and for tenant services completed but not paid for in 1974/75. The Treasury Board was asked to provide more details on this item such as the major specific items that have been delayed in order to transfer this amount, a break-down giving examples of premises involved and a comparison of either existing or previous rates with the increased rates. In providing this information Treasury Board officials were also asked to make a distinction between the increase due to the revision of rates and the increase due to the addition of newly leased property.

9. Your committee examined the various items contained in these Supplementary Estimates and received answers to questions from the Treasury Board officials. In some cases the answers were not immediately available and the Treasury Board officials agreed to provide material as soon as possible. The questions for which answers were to be supplied are as follows:

- (a) A comprehensive statement regarding loans to the de Havilland Aircraft of Canada Limited, the government's option with respect to Canadair Ltd., and the expenditures made and operating results with respect to the STOL services between Montreal and Ottawa.
- (b) Regarding the oil compensation payments East of the Ottawa Valley Line, what is the income being received to offset these expenditures?
- (c) Concerning the purchase of heavy water for lease or resale to Canadian and foreign users, what is being paid for the heavy water and at what price is it being sold?
- (d) Could the Committee be given a general idea of the rate of return that is being received on loans for working capital advances?
- (e) May a more detailed break-down of the \$200 million required to service the public debt be provided?
- (f) What is the per capita cost per province for health care?

Respectfully submitted.

H. Sparrow
Deputy Chairman

(Appendix A to report)

EXPLANATION OF ONE DOLLAR ITEMS IN SUPPLEMENTARY ESTIMATES (A), 1975-76

SUMMARY

The one dollar items included in these Estimates have been grouped in the attached schedules according to purpose.

- A. One Dollar items which authorize transfers from one vote to another—15 items.
- B. One Dollar items which amend the legislative provisions of previous appropriation acts—3 items.
- C. One Dollar items which authorize the payment of grants—6 items.
- D. One Dollar items which authorize financial guarantees—1 item.
- E. One Dollar items which authorize the extension of existing acts to cover circumstances not now covered—2 items.
- F. One Dollar items which amend acts other than appropriation acts—3 items.

November 12, 1975
Estimates Division

SCHEDULE A

ONE DOLLAR ITEMS WHICH AUTHORIZE TRANSFERS FROM ONE VOTE TO ANOTHER—15 ITEMS.

ENERGY, MINES AND RESOURCES—ATOMIC ENERGY CONTROL BOARD

Vote 25a—To authorize a transfer to this Vote of \$199,999.

Explanation—To finance mission-oriented research contracts with non-university organizations in the field of safeguards techniques and other nuclear safety research.

Source of Funds—Vote 30—(\$199,999)—Funds are available because types of projects previously financed through contributions are to be carried out under contract.

INDUSTRY, TRADE AND COMMERCE

Vote 47a—To authorize a transfer to this Vote of \$999,999.

Explanation—Funds are required to meet the expenses of the Hall Commission of Inquiry on Prairie Grain Handling and Transportation.

Source of Funds—Vote 50—(\$999,999)—Contributions to the Brazilian Government will be less than originally forecast due to delays in establishing the sites of grain silos.

NATIONAL HEALTH AND WELFARE

Vote 15a—To authorize a transfer to this Vote of \$2,999,999.

Explanation—To provide for a shortage of \$3.97 million for non-salary operating expenditures related to the provision of health care to Indians and northern residents.

Source of Funds—Vote 20—(\$2,999,999)—Funds are available because a number of capital projects originally scheduled for construction in 1975-76 have been deferred.

Vote 40a—To authorize a transfer to this Vote of \$207,999.

Explanation—Increased funds are required for contributions to support athletes and teams training for participation in the 1976 Olympics.

Source of Funds—Vote 35—(\$207,999)—Funds are available due to reductions in operating expenses.

PUBLIC WORKS

Vote 1a—To authorize a transfer to this Vote of \$741,999.

Explanation—To provide for announced price increases which were not included in 1975-76 Main Estimates and to authorize additional funds for improvements to the Management Information Systems.

Vote 10a—To authorize a transfer to this Vote of \$23,999,999.

Explanation—To provide for the increased operating costs of new and existing Crown-owned accommodation, the renegotiation of existing leases at higher

rates and escalation payments in leased accommodation; additional leased accommodation for government departments and agencies; the cost of tenant services for space occupied by the Department of Public Works; and for tenant services completed but not paid for in 1974-75.

Vote 20a—To authorize a transfer to this Vote of \$1,649,999.

Explanation—To provide for wharf repairs at Baie Comeau, Gaspé, Ile-aux-Coudres and Mont Louis, P.Q.

Vote 35a—To authorize transfers totalling \$3,699,999.

Explanation—The additional funds will be used to:

- (1) cover the cost of repairs (\$1,700,000) to the Alaska Highway caused by a severe rainfall in June, 1975;
- (2) provide for the increased cost (\$335,000) of maintenance and repair of bridges in the Ottawa area;
- (3) pay accounts (\$500,000) carried over from 1974-75 for maintenance of the Alaska Highway by the Yukon Territorial Government; and
- (4) meet other cost increases (\$1,165,000) not provided for in the Main Estimates.

Source of Funds—

<u>Votes Transferred To</u>	<u>Votes Transferred From</u>	
	<u>Vote 15</u>	<u>Vote 40</u>
Vote 1a	\$ 741,999	—
Vote 10a	23,999,999	—
Vote 20a	1,649,999	—
Vote 35a	2,200,000	1,499,999
	<u>\$28,591,997</u>	<u>\$1,499,999</u>

Vote 15—Funds are available because of unforeseen delays in the construction program.

Vote 40—Funds are available due to delays in the reconstruction of the Alaska Highway and in the construction of a new snow shed on the Trans-Canada Highway.

SCIENCE AND TECHNOLOGY—NATIONAL RESEARCH COUNCIL OF CANADA

Vote 5a—To authorize a transfer to this Vote of \$899,999.

Explanation—To purchase development and techno-commercial research from Canadian industry in line with the government's make or buy policy.

Source of Funds—Vote 15—(\$899,999)—The Industrial Research Assistance Program will commit less money than previously forecast in order to support the new program.

Vote 10a—To authorize transfers totalling \$4,199,999.

Explanation—To provide for the construction of a remote manipulator system (Teleoperator Program) which consists of an arm and associated controls to handle objects outside the Space Shuttle vehicle. This is the Canadian contribution to the United States Space Shuttle program.

Source of Funds—Vote 15—(\$1,500,000)—The Industrial Research Assistance Program will commit less money than previously forecast in order to support this program.

Vote 35—(\$2,699,999)—Funds have been made available through a reduction in expenditures.

SECRETARY OF STATE

Vote 15a—To authorize a transfer to this Vote of \$479,999.

Explanation—To provide for:

- (1) a research program on the Canadian publishing industry to assist in the formulation of a publishing policy (\$135,000);
- (2) the cost of a study on the Canadian film industry (\$135,000);
- (3) the establishment of the Office of the Special Adviser on Film to study the respective responsibilities of the five federal cultural agencies involved in the film industry and to examine the relationships between the private and public sectors in the production of films (\$140,000); and
- (4) the purchase of a sculpture to be presented to the City of Kingston in recognition of that city's tercentenary (\$70,000).

Source of Funds—Vote 20—(\$479,999)—Funds will be available since the proposed grant to the Massey Hall will not be fully utilized pending agreement with the Province of Ontario and Massey Hall.

TRANSPORT—NATIONAL HARBOURS BOARD

Vote 91a—To authorize a transfer to this Vote of \$449,999.

Explanation—To provide for the expected 1975 operating deficit of the port of Halifax.

Source of Funds—Vote 90—(\$449,999)—Funds are available because of delays in major maintenance operations to the Jacques-Cartier bridge.

VETERANS AFFAIRS

Vote 1a—To authorize transfers totalling \$399,999.

Explanation—To cover costs of Commemorative Ceremonies held to mark the 30th anniversary of the liberation of Italy (\$315,000) and for tenant services in the Headquarters Building (\$85,000).

Vote 5a—To authorize a transfer to this Vote \$59,699 and the deletion of a debt of \$8,734.92.

Explanation—To provide for unforeseen operating costs of the War Veterans Allowance Board, and for writing off a debt of \$8,734.92.

Vote 15a—To authorize transfers totalling \$241,999.

Explanation—To provide for tenant services in district offices at St John's, Quebec City, and London, Ontario; and for the restoration of the Vimy Memorial.

Source of Funds—

Votes Transferred To	Votes Transferred From	
	Vote 35	Vote 50
Vote 1a	\$ 84,999	\$315,000
Vote 5a	—	59,699
Vote 15a	105,999	136,000
	<u>\$190,998</u>	<u>\$510,699</u>

Vote 35—Disability pensions will be less than originally forecast.

Vote 50—Capital expenditure will be less than forecast because some projects have been delayed.

SCHEDULE B

ONE DOLLAR ITEMS WHICH AMEND THE LEGISLATIVE PROVISIONS OF PREVIOUS APPROPRIATION ACTS—3 ITEMS.

TRANSPORT

Vote 10a—To authorize the entering into of an agreement between the Minister of Transport and private shipping companies for construction and operation of an Arctic Class 2 icebreaking bulk cargo vessel.

Explanation—It is proposed to provide financial support for the construction and operation of an experimental vessel which will be employed to gain technical and commercial experience relating to the employment of Arctic class commercial vessels in northern waters.

URBAN AFFAIRS—CENTRAL MORTGAGE AND HOUSING CORPORATION

Vote 10a—To authorize the reimbursement to the Corporation for contributions made and expenses incurred in respect of the new Private Lender Assisted Rental Program and for losses, costs and expenses incurred under the new Land Lease Program.

Explanation—To reimburse C.M.H.C. for contributions made and expenses of \$200,000 incurred under the Private Lender Assisted Rental Program, and for net losses, costs and expenses of \$200,000 incurred in the operation of the Land Lease Program. These two new activities were established as a result of the recent amendment to the National Housing Act. Under this legislation it was not expected that contributions would be made until next year thus authority was not included for the early phase-in of the program.

Vote 15a—To authorize the payment of additional Home Buyer grants and a transfer to this Vote of \$10,499,999.

Explanation—To supplement the Home Buyer grant program as a result of a greater than expected volume of applications for payments and the extension of qualifying criteria to include those persons whose "offer to purchase" was accepted on or before October 31, 1975 and who will occupy the new residence before December 31, 1975.

Source of Funds—Vote 10—(\$10,499,999)—Payments for grants, contributions, subsidies and the reimbursement of administrative costs for the low-income non-profit housing, residential rehabilitation and neighbourhood improvement activities have been lower than originally forecast.

SCHEDULE C

ONE DOLLAR ITEMS WHICH AUTHORIZE THE PAYMENT OF GRANTS—6 ITEMS.

EXTERNAL AFFAIRS—CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Vote 30a—To authorize grants totalling \$8,224,000.

Explanation—To provide increased grants to international organizations providing Multilateral Assistance and for International Emergency Relief to meet unanticipated requirements.

Source of Funds—Vote 30—(\$8,223,999)—Funds are available from reduced requirements for International Assistance grants.

NATIONAL HEALTH AND WELFARE

Vote 50a—To authorize grants totalling \$170,900.

Explanation—To provide additional sustaining grants totalling \$170,900 to nine welfare agencies. These grants will be used to offset price increases (\$103,000) and for program expansions (\$67,900).

Source of Funds—Vote 50—(\$170,899)—Contributions will be reduced from \$4,000,000 to \$3,829,100, mainly in research projects, to finance the welfare grant increases.

SECRETARY OF STATE

Vote 20a—To authorize grants totalling \$481,111.

Explanation—It is proposed to provide a grant to the Community Music School of Greater Vancouver (\$111,111) and to increase the grant to the Fathers of Confederation Buildings Trust, Charlottetown, P.E.I. (\$370,000).

Vote 25a—To authorize grants totalling \$250,000 and a transfer to this Vote of \$549,999.

Explanation—Additional funds are required:

- (1) to provide a grant of \$180,000 to the Canada Studies Foundation. (This grant will be used to develop curriculum materials for the teaching of Canadian Studies in both elementary and secondary schools, and it will be matched by the Council of Provincial Education Ministers.);
- (2) to provide a grant of \$70,000 to the Social Science Research Council to assist with the cost of a national conference to be held in November, 1975 to promote the use of social science research; and
- (3) to reimburse Statistics Canada \$300,000 for the cost of a questionnaire survey on the socio-economic and financial background of post-secondary students.

Vote 40a—To authorize grants totalling \$255,000 and a transfer to this Vote of \$254,999.

Explanation—It was originally proposed to finance certain projects for cultural events in the International Women's Year program by contract. It is now proposed to finance these events through grants.

Source of Funds—

<u>Votes Transferred To</u>	<u>Votes Transferred From</u>	
	<u>Vote 20</u>	<u>Vote 35</u>
Vote 20a	\$ 481,110	—
Vote 25a	\$ 549,999	—
Vote 40a	—	\$254,999
	<u>\$1,031,109</u>	<u>\$254,999</u>

Vote 20—Funds will be available since the proposed grant to the Massey Hall will not be fully utilized pending agreement with the Province of Ontario and Massey Hall.

Vote 35—Funds originally provided for contracts are now being transferred to the grants and contributions vote.

VETERANS AFFAIRS

Vote 20a—To authorize grants totalling \$131,500 and a transfer to this Vote of \$131,499.

Explanation—To increase payments to the Last Post Fund to cover the increased costs of burials and to provide for special housing assistance to qualified veterans.

Source of Funds—Vote 50—(\$131,499)—Capital expenditures will be less than forecast because some projects have been delayed.

SCHEDULE D

ONE DOLLAR ITEMS WHICH AUTHORIZE FINANCIAL GUARANTEES—
1 ITEM

FINANCE

Vote L13a—To authorize the financial provisions of an international agreement.

Explanation—To authorize Canadian participation in an arrangement by the 24 members of the Organization for Economic Co-operation and Development to provide financial assistance, through guarantees of market borrowings or through direct loans to participating governments, when member countries encounter major balance of payments problems. The agreement was signed in Paris on April 9, 1975 and stipulates the conditions under which the Fund may be utilized. It will take effect when approved by a 90 per cent weighted majority of the signatories.

SCHEDULE E

ONE DOLLAR ITEMS WHICH AUTHORIZE THE EXTENSION OF EXISTING
ACTS TO COVER CIRCUMSTANCES NOT NOW COVERED—2 ITEMS.

SOLICITOR GENERAL

Vote 5a—To increase pensions to the families of two deceased Penitentiary employees, to authorize grants totalling \$97,000 and to authorize a transfer to this Vote of \$3,194,999.

Explanation—Authority is requested to provide:

- (1) Pensions to families of Louis Georges Nadeau and Joseph Albert Paul Gosselin, deceased employees of the Canadian Penitentiary Service, at rates as set out in the RCMP Superannuation Act rather than in the Government Employees Compensation Act (\$12,000);
- (2) increased grants to After-care Agencies who provide community and liaison services to inmates in federal institutions (\$85,000); and
- (3) increased operating costs mainly for overtime payments to prison staff (\$1,800,000); and, price increases in utilities, security contracts with private firms and outside hospital services (\$1,065,000).

Source of Funds—Vote 10—(\$3,194,999)—Funds are available due to delays in construction of new penitentiaries.

TRANSPORT—CANADIAN NATIONAL RAILWAYS

Vote L76a—To secure Parliamentary authority as required under Section 32 of the Canadian National Railways Act for the Railway to arrange financing for the acquisition of equipment and to permit the Railway to issue securities on such terms and conditions and bearing such rates of interest as may be approved by the Governor-in-Council.

Explanation—The proposed vote will provide authority for the Railway to utilize the financing medium authorized under Section 32 of the Canadian National Railways Act, which states "Where Parliament has provided for expenditure on equipment to the extent of 25% of the cost of such equipment, the National Company may make or arrange for one or more equipment issues for the remaining 75% of such costs."

In addition, it will enable the Company to sell securities at market rates of interest, instead of the 6% ceiling referred to in Section 72(5) of the Railway Act, in order to finance capital expenditures.

SCHEDULE F

ONE DOLLAR ITEMS WHICH AMEND ACTS OTHER THAN
APPROPRIATION ACTS—3 ITEMS.

AGRICULTURE

Vote 50a—To amend the Canadian Dairy Commission Act so as to provide for an increase from \$100 million to \$300 million in loans from the Minister of Finance which may be outstanding at any time under Section 16, sub-section (2) of the Act.

Explanation—The present act which was passed in 1967, authorized a \$100 million limit on loans for the purchase, package, storage and disposal, etc., of any dairy product.

This limit is no longer adequate because the value per lb. of butter and skim milk powder has increased considerably since 1967 and because the depressed world market for skim milk powder has led to higher inventories. It is expected that current year inventories will peak at about \$210 million and that similar or possibly greater requirements will exist in 1976-77.

REGIONAL ECONOMIC EXPANSION—CAPE BRETON DEVELOPMENT CORPORATION

Vote L40a—To amend Section 19(2) of the Cape Breton Development Corporation Act.

Explanation—To increase by \$15 million the statutory ceiling on working capital advances that may be outstanding at any time. The present Act, which was passed in 1967, authorizes advances of up to \$10 million. The proposed revision to the ceiling is necessary to finance the increased unit value and volumes of coal and material inventories held by the Corporation.

SECRETARY OF STATE—CANADIAN FILM DEVELOPMENT CORPORATION

Vote 62a—To authorize an increase of \$5 million in the statutory ceiling of the Canadian Film Development Corporation Act.

Explanation—The Canadian Film Development Corporation is financed by statutory funds which are obtained from the Consolidated Revenue Fund according to its needs. An amount of \$10 million was originally authorized under Section 18(1) of the Corporation Act. This was increased to \$20 million by Appropriation Act No. 4, 1971. The current request will raise the level to \$25 million.

These funds will be used for loans to film makers and investments in Canadian feature films in order to foster and promote the development of a feature film industry in Canada.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 141

Wednesday, 10th December, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Fournier	Lawson,	Neiman,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Lefrançois,	Norrie,
Austin,	Croll,	<i>Gloucester</i>),	Macdonald,	Perrault,
Basha,	Davey,	Goldenberg,	Macnaughton,	Petten,
Beaubien,	Denis,	Grosart,	Manning,	Phillips,
Bélisle,	Deschatelets,	Haig,	McDonald,	Quart,
Bell,	Desruisseaux,	Hayden,	McElman,	Riley,
Benidickson,	Duggan,	Inman,	McGrand,	Robichaud,
Buckwold,	Eudes,	Lafond,	McIlraith,	Smith (<i>Colchester</i>),
Cameron,	Flynn,	Lamontagne,	McNamara,	Smith (<i>Queens-</i>
Carter,	Fournier	Lang,	Michaud,	<i>Shelburne</i>),
Choquette,	(<i>de Lanaudière</i>),	Langlois,	Molgat,	Sparrow,
Cook,		Lapointe,	Molson,	van Roggen,
				Walker.

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-79, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read a second time later this day.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of the Air Canada Inquiry Report, dated October 1975 (The Honourable Willard Z. Estey, Commissioner).

Report of the Minister of Transport on the administration of the *Motor Vehicle Safety Act* for the fiscal year ended March 31, 1975, pursuant to section 20 of the said Act, Chapter 26 (1st Supplement), R.S.C., 1970.

Report of the Superintendent of Insurance for Canada, Volume II, Annual Statements of Property and Casualty Insurance Companies, for the year ended December 31, 1974, pursuant to section 8 of the *Department of Insurance Act*, Chapter I-17, R.S.C., 1970.

Report of the Auditor General to the House of Commons for the fiscal year ended March 31, 1975, pursuant to section 61(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with a Supplement to the said Report.

Copies of a Draft Memorandum of Agreement between the Government of Canada and the provinces under Bill C-73, *Anti-Inflation Act*, together with a copy of Background Notes thereon.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-2, intituled: "An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend the Combines Investigation Act and the Criminal Code", reported that it had examined the said Bill and had directed him to report the same to the Senate, without amendment, but with certain observations.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 632-638).

The Honourable Senator Cook moved, seconded by the Honourable Senator Cameron, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada", presented the following Report:—

WEDNESDAY, December 10, 1975.

The Standing Senate Committee on Banking, Trade and Commerce to which was referred Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada", has, in obedience to the order of reference of Tuesday, December 9, 1975, examined the said Bill and now reports the same without amendment, but with the following observations:

These observations are included in this Report on the express direction of the Committee and relate to subclause 6 of clause 46 of the Bill, which was added in the course of the third reading of the Bill in the House of Commons.

Clause 46 (6) reads as follows:

"(6) Where, at any time after March 31, 1977 and before July 1, 1977, a motion for the consideration of the House of Commons, signed by not less than 50 members of the House, is filed with the Speaker to the effect that this Act shall expire on a date before December 31, 1978, that is specified in the motion, the House of Commons shall, within the first fifteen days next after the motion is filed that the House is sitting, in accordance with the Rules of the House, take up and consider the motion, and if the motion, with or without amendments, is approved by the House, this Act expires on the date that is specified in the motion."

These observations are made for the purpose of expressing the resentment of the Committee to the provision in the said subclause 6 by virtue of which, where a motion is signed by not less than 50 members of the House of Commons and is then filed with the Speaker of that House providing for the expiration of the Act, on a date before December 31, 1978, and is voted on and approved by the House of Commons, then such approval by the House of Commons shall terminate the life of the Act.

This presents an anomalous situation. Bill C-73 can only become law as, if and when approved not only by the House of Commons but by the Senate of Canada and thereafter receives Royal Assent. To propose, therefore, in such a Bill as C-73 the termination of the Act by uni-

lateral action of the House of Commons is arbitrary and presumptuous. As a result, this Bill and this particular subclause 6 of clause 46 thereof was the subject-matter of a proposed amendment put forward in your Committee, adding the requirement of approval of any such proposed termination of the Act by the Senate of Canada. Such proposed amendment was not carried because of a tie vote. Those voting against the proposed amendment were as strongly opposed to the form of the provision in the said subclause, requiring only the approval of a majority of the House of Commons for the subsequent expiration of the Act, as those who favored the said proposed amendment.

The need for bringing into law the provisions of this Bill as quickly as possible in the best interests of the economy of Canada was the impelling motive of those who voted against the proposed amendment. The Committee regards the conditions providing for the termination of the life of this Bill as a display of unjustified arrogance. Such a provision has appeared in several other Bills which at an earlier time have come before the Senate, but the Committee warns that any repetition of such a provision in any future legislation will lead to an amendment of the Bill whatever may otherwise be the degree of urgency and the beneficial purposes of the Bill.

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read the third time now.

After debate,

In amendment, the Honourable Senator Molson moved, seconded by the Honourable Senator Macdonald, that the Bill be not now read the third time but that it be amended as follows:—

Page 34: Strike out lines 11 and 12 and substitute therefor the following:

“House, a message shall be sent to the Senate informing the Senate that the motion has been so approved and requesting that the motion be concurred in by the Senate.

(6.1) If a motion approved by the House of Commons pursuant to subsection (6) is concurred in by the Senate, this Act expires on the date that is specified in the motion.”

After debate, and—

The question being put on the motion, in amendment,—

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Asselin	Haig
Beaubien	Lawson
Bélisle	Macdonald
Cameron	Molson
Carter	Phillips
Choquette	Quart
Flynn	Smith
Grosart	(Colchester)—15.

NAYS

The Honourable Senators

Austin	Langlois
Basha	Lefrançois
Buckwold	Macnaughton
Cook	McDonald
Cottreau	McElman
Croll	McGrand
Davey	McIlraith
Denis	McNamara
Deschatelets	Michaud
Desruisseaux	Molgat
Duggan	Neiman
Eudes	Norrie
Fournier	Perrault
(de Lanaudière)	Petten
Fournier	Riley
(Restigouche- Gloucester)	Robichaud
Hayden	Smith
Inman	(Queens- Shelburne)
Lafond	Sparrow
Lamontagne	van Roggen—38.
Lang	

So it was resolved in the negative.

After debate,

In amendment, the Honourable Senator Phillips moved, seconded by the Honourable Senator Haig, that the Bill be not now read the third time but that it be amended as follows:—

Page 23: Strike out line 38 and substitute therefor the following:

“behaviour for a term not to extend beyond April 30, 1977.”

Page 23: Strike out line 42 and substitute therefor the following:

“term not to extend beyond April 30, 1977.”

Pages 33 and 34: Strike out lines 7 to 47, inclusive, on page 33, and lines 1 to 19, inclusive, on page 34 and substitute therefor the following:

“(2) This Act expires on April 30, 1977, or on such earlier day as may be fixed by proclamation.”

After debate, and—

The question being put on the motion, in amendment—

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Asselin	Haig
Beaubien	Macdonald
Choquette	Phillips
Flynn	Quart
Grosart	Smith (<i>Colchester</i>)—10.

NAYS

The Honourable Senators

Argue	Lang
Austin	Langlois
Basha	Lefrançois
Buckwold	Macnaughton
Cameron	McDonald
Carter	McElman
Cook	McGrand
Cottreau	McIlraith
Croll	Michaud
Davey	Molgat
Denis	Molson
Deschatelets	Neiman
Desruisseaux	Norrie
Eudes	Perrault
Fournier (<i>de Lanaudière</i>)	Petten
Fournier (<i>Restigouche-Gloucester</i>)	Riley
Goldenberg	Robichaud
Hayden	Smith (<i>Queens-Shelburne</i>)
Lafond	Sparrow
Lamontagne	van Roggen—40.

So it was resolved in the negative.

After debate, and—

The question being put on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois, for the third reading of the Bill C-73, intituled: "An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada", it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Thursday, 11th December, 1975, at eleven o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill C-1002, intituled: "An Act to incorporate the Northland Bank",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-74, intituled: "An Act to amend the Regional Development Incentives Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Hayden, for concurrence in the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on National Finance on the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of Bill C-79, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois:

That a special committee of the Senate be appointed to examine and report upon the privileges and immunities that apply to members of the Senate within the precincts of the Senate, and the powers of the Speaker in respect thereof,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator McNamara, for the adoption of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 628.)

Wednesday, December 10, 1975.

The Standing Senate Committee on Banking, Trade and Commerce, to which was referred Bill C-2, intituled: "An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code", has, in obedience to the order of reference of Tuesday, October 28, 1975, examined the said Bill and, for the reasons hereinafter mentioned, now reports the same without amendment.

Bill C-2 as passed by the House of Commons comes as no stranger to your Committee, the subject matter thereof having been referred to it for advance study on March 27, 1974 and again, in the present Parliament, on October 16, 1974. On March 19, 1975 the first Interim Report¹ of your Committee was tabled in the Senate and a second Report² tabled on June 26, 1975.

Bill C-2 proposes extensive amendments to the *Combines Investigation Act* and is said by the Government to comprise what has commonly been described as "Phase I" of contemplated amendments to that Act. The effect of these amendments is to—

- (a) bring service industries and the professions under the scope of the Act,
- (b) create certain new offences relating to combines,
- (c) make certain trade practices "reviewable" by the Restrictive Trade Practices Commission,
- (d) provide a civil right of action for violation of the Act,
- (e) expand the jurisdiction of the Federal Court of Canada with respect to combines matters,
- (f) strengthen the law with respect to misleading advertising and representations, and
- (g) provide more severe punishment for infringement of the Act.

Further amendments to the Act, commonly referred to as "Phase II", relating particularly to mergers and monopolies will be introduced, according to the Government, during the next session of Parliament. With the introduction of Phase II, most of the ground covered by Bill C-256, the *Competition Act* (which was introduced as a comprehensive overhaul of the *Combines Investigation Act* nearly four-and-a-half years ago, but not proceeded with) will have been traversed in slower, and therefore for those affected less painful, but possibly just as comprehensive fashion.

As stated in the first Interim Report on the advance study, your Committee had the advantage of considering a great many submissions from a cross section of companies and associations; a list of briefs and appearances is

attached as an appendix to the first Interim Report. In addition, your Committee heard evidence by the Director of Investigations and Research under the Act, Mr. R. J. Bertrand, and other members of his Department. As a result of those hearings your Committee made in its first Interim Report on the advance study a number of recommendations for amendment to the Bill before it was passed by the Commons. The Bill in the form finally adopted by the Commons responds to an appreciable number of the most important concerns and recommendations of your Committee with respect to the Bill as originally introduced.

The Bill was referred to your Committee by the Senate on October 28, 1975. Your Committee since that date has had seven sessions during which it has heard five further submissions from the parties listed in the Appendix. In addition, three sessions were devoted to the evidence of the Minister responsible for the legislation, the Hon. André Ouellet, Minister of Consumer and Corporate Affairs.

No new concerns have been identified by your Committee since the Bill itself was referred to it which have not already been described in its two Reports on the advance study with the exception of a minor technical matter in connection with the punishment provisions arising out of amendments made in the House of Commons during the debate on the report stage on the Bill.

Your Committee's principal task has therefore been to assess the effectiveness of the amendments made in the Commons in meeting the recommendations outlined in its two previous Reports and deciding what action should be recommended with respect to those which have not been reflected.

Among the recommendations made in the Interim Report which your Committee considers have been fully met by amendments to the Bill made in the Commons are the following:

1. Restoration of the refusal to sell defences under the resale price maintenance provisions (new subsection 38(9), clause 18, p. 42).
2. Provisions making the Commission a Court of Record for purposes of its jurisdiction in connection with reviewable practices, requiring that the burden of proof in applications before the Commission under the reviewable practices jurisdiction shall be on the Director of Investigation and Research (except where the applicant is a supplier seeking modification of an order) and clarifying that parties before the Commission have the right to cross-examine witnesses called by the Director and to call and examine witnesses and produce documents on their own behalf (new section 31.8, clause 12, p. 23).
3. Provision of a right of application by a supplier against whom an order has been made under the reviewable practices provisions to apply for modifi-

¹ Committee Proceedings Issue No. 33 and Appendix to Hansard, March 19, 1975.

² Committee Proceedings Issue No. 47 and Appendix to Hansard, June 26, 1975.

cation of such order. (New section 31.9, clause 12, p. 23).

4. A re-drafting of part of new subsection 31.4(2), clause 12, pp. 16 and 17 clarifying the circumstances under which an order respecting the practices of exclusive dealing or tied selling may be made¹.
5. Removal of a provision whereby the consent of the person calling for tenders to a joint bid would have to be obtained prior to submission of the tender (new section 32.2, clause 15, p. 27).

Among the recommendations of your Committee which were partially met by amendments made by the Commons were the following:

1. *The provision of a defence of "due diligence" with respect to certain offences which would have otherwise carried strict liability.*

This was perhaps the most significant of the concerns expressed by your Committee and its recommendation has been implemented to a substantial degree in the amendments made by the Commons. The offences in the present Act with respect to misleading advertising and representations and as amended by the Bill are provided for in such a way that, contrary to typical criminal offences, *mens rea*, or, criminal intent is not an ingredient which must be established by the Crown. The amendment containing the "due diligence" defence appears as new section 37.3 in clause 18 of the Bill on page 39. With the exception of the word "forthwith" in paragraph 37.3(2)(d), your Committee is satisfied that the amendment meets the concerns expressed by your Committee. The Minister and his officials argued that there was sufficient flexibility in the word "forthwith" that there would be no undue hardship and that to remove the word would open the door to abuse by the unscrupulous. It may be that the courts will interpret the provision in the manner suggested by the Minister and, if so, there will be no difficulty. Instead of an amendment to delete or replace the word "forthwith" your Committee recommends that no action be taken at the present time and that court decisions under the section after enactment be monitored to ascertain whether the defence is meeting the concerns for which it was inserted.

2. *Exemption for affiliates.*

Your Committee proposed that the exemption in the Bill in respect of dealings between affiliated persons and companies under the resale price maintenance provisions (new subsections 38(2) and (7) on pp. 40 and 41, clause 18) be extended to other offences in the Act and in the Bill since, otherwise, by implication, dealings between affiliates might constitute commission of the offence. This proposal was recognized in the Commons amendments with one exception. The exemption was not extended to sales between affiliated companies for the purposes of the price discrimination provision, section 34 of the Act. In other words, the clear implication as a result of this omission will be that, e.g., a parent company may not be able to sell to a subsidiary at a lower price than it would to an arms-length customer. The explanation given by the Minister

was that allowing sales to subsidiaries at a lower price would tend to weaken the position of arms-length customers of the parent company who compete with the subsidiary. In other words, the possibility of lower prices to the consumer should yield to the creation of conditions to improve the status of independent dealers. This is obviously a policy question of some importance and the Minister has indicated that the matter will be re-examined in the Phase II amendments together with the subject of loss-leadering—another area where possible lower prices to the consumer in the short run should possibly give way to other considerations. In this connection he said:

"I do not want to duck the question at all; quite the contrary. It is an important area. It is public knowledge that in phase two we will be dealing with loss leading. I have indicated this in speaking to the other place that this would be one of the subjects of study and action in phase two. We will also be dealing with price discrimination in phase two. We will come back to the subject at that time."²

3. *Sports.*

Because the Bill would extend the application of the Act to services, it could be argued that the customary arrangements between leagues and teams in amateur and professional sports with respect to players could be considered an offence under section 32 of the Act. Recognizing that some exemption should be granted, the Bill would substitute for section 32 a new section 32.3 which in essence repeats in subsection (1) in language more applicable to the sports world the offence contained in section 32 but also provides in subsection (2) a defence which could be invoked based on the desirability of maintaining a balance among the teams and the necessity of observing certain regulations in sports organized on an international basis.

Your Committee recommended that both amateur and professional sports should simply be exempted from the Bill.

While recognizing that combines legislation may not be the appropriate place for dealing with the problems of the sports world, the Minister, when he appeared before your Committee, suggested that in due course these and other matters affecting sports would be dealt with in a comprehensive way in other legislation and that in the meantime this new provision should be inserted in the Combines Act. Your Committee, with some reservations, agrees, that the new provisions should be allowed to remain on the basis that some form of exemption from section 32 of the Act is required and that the matter will be kept under review by the Government for more appropriate attention at a later date.

4. *Regulated Trades, Industries and Professions.*

An area which has presented great difficulty to your Committee is the position of regulated industries, trades and professions. Because the Bill would bring services under the purview of the Act, attention has been focused on the problem although it may well be that the problem existed under the present Act in relation to trades and industries dealing with "articles".

¹ See Interim Report, Committee Proceedings No. 22, Item 8, p. 9.

² Committee Proceedings, Issue No. 61, November 19, 1975, p. 17.

Your Committee feels strongly that no industry, trade or profession, the bulk of whose activities are regulated by some governmental body, whether provincial or federal, should, in addition, be exposed to prosecution under the *Combines Investigation Act*.

Your Committee heard submissions in this area from the Institute of Chartered Accountants, the International Air Transport Association (IATA), the Air Transport Association of Canada, the Winnipeg Commodity Exchange and the Association of Canadian Franchisors and Independent Grocers' Alliance.

In the case of the Institute of Chartered Accountants (and other professions) and the Winnipeg Commodity Exchange, members have for years had arrangements with respect to certain aspects of the carrying on of their activities. There is nothing secret or covert about these arrangements and they have generally been regarded as being in the public interest. While some aspects of their activities may be considered to be regulated to one degree or another, some aspects clearly are not. Yet, if those activities are still regarded to be in the public interest, it would be an ill-considered policy that would abruptly, in the wake of a new law of general application, make them illegal merely because they are unregulated or insufficiently regulated.

An amendment was inserted in the Bill by the House of Commons which may be of some assistance to the professions. (See new subsection 32(7), clause 14, p. 26). It provides that a court shall not convict under the conspiracy section if it finds that the arrangement relates to the standards of competence and integrity reasonably necessary for the protection of the public.

The Minister and his officials in their testimony before your Committee stated on the one hand that they considered that the decisions of the courts, particularly in the *Breweries* case¹ and the *Farm Products Marketing* case², were sufficient protection for these groups. On the other hand, the Minister and his officials were unable to resist keeping the door to application of the *Combines Investigation Act* open by stating that they also felt that the degree to which a regulated trade, industry or profession could consider itself protected by this jurisprudence depended to a great extent on the manner in which the particular regulatory body responsible for them exercised its powers. Since in many cases it may not be up to or within the power of the particular industry, trade or profession to affect the manner in which such bodies exercise their legislative powers, your Committee considers that they may well be placed in an untenable position if the *Combines Investigation Act* is applied blindly to them.

The case of the air transport industry in Canada is particularly striking in this regard. Because of the nature of its activities, there has always been a high degree of cooperations amongst the various companies in the industry. This cooperation has been, in some cases, required

and in other cases simply encouraged by the Government. For example, the Government of Canada has many agreements with other countries respecting air transportation which provide as follows:

"The tariffs referred to in paragraph (1) of this Article shall, if possible, be agreed in respect of each route between the designated airlines of the contracting parties, in consultation with other airlines operating over the whole or part of that route, and such agreement shall, where possible, be reached through the rate-fixing machinery of the International Air Transport Association. The tariffs so agreed shall be subject to the approval of the aeronautical authorities of both contracting parties."

It is true that the tariffs which result from such agreements must be filed with the Canadian Transport Commission but the question remains as to whether this process is a sufficient "regulation" to bring the carriers within the exempting formula contained in the judgment of Chief Justice McRuer in the *Breweries* case. Moreover, there may be other aspects of the air transport industry on which it has been the practice to have agreements and arrangements, with the encouragement of the Department of Transport and the Canadian Transport Commission, in respect of which the powers of supervision of the Canadian Transport Commission are not as precise as they are in the case of tariffs.

In its Second Interim Report, your Committee recommended that a provision be inserted in the *Combines Investigation Act* specifically exempting the air industry from the application thereof. The Minister has argued against the insertion of a specific exemption for particular named industries (although there are already some in the Act) but at the same time appeared to recognize the dilemma in which the industry might find itself as a result of application of the Act. The following are some excerpts from the Minister's testimony before the Committee on November 19th:

"... Phase II of the revision of the competition policy will be concerned especially with those matters which affect the structural issues of industry raised by merger, monopoly and specialization agreements. I could undertake today before you to say that this question of uncertainty which exists for the transportation industry must and could be clarified in the course of the coming months after full discussion with my colleague, the Minister of Transport, and the appropriate decision made as to whether it would be dealt with through the Canadian Transport Commission or the *Combines Investigation Act*..."³

"... Secondly, I am quite prepared to meet some of the fears expressed by members of this Committee by saying that the new area now covered, that in order to clarify the situation we will undertake to have an in-depth study and come up with a positive conclusion one way or the other on Phase II. But basically we assume that competition is expected in the air transport industry and that the industry should conduct itself accordingly.

¹ 1960 O.R. 601

² 1957 S.C.R. 198

³ Committee Proceedings Issue No. 61, p. 6.

I hope and believe that everyone here accepts this understanding. Whether it is monitored by the Director of Combines (sic) and Research or whether by the CTC is a question that has to be clarified. I am quite prepared to ensure that it will be clarified in the course of the coming months.

Therefore, by the time we introduce Phase II of the competition policy we will know exactly whether it should be regulated through the CTC or under the umbrella of the *Combines Investigation Act*.¹

"We ask that the aeronautical authority, being the CTC, exercise its full authority over civilians. We do believe that for the time being there is no danger of a case developing until we have had an opportunity of correcting the situation in Phase II, at which time we will put forward a definite position on this."²

"... The promulgation of a certain part of the Act will come within a matter of weeks. More particularly, in the service section, we have said that we will give sufficient time to the service industry to prepare themselves because of the new legislation. This will be a period of three, four or possibly five months. We might not promulgate this section until we have been able to settle clearly the question whether or not the CTC is doing this monitoring and this in-depth decision making. If the mechanism is in place within the CTC to do the in-depth evaluation, it is quite clear the *Combines Investigation Act* does not apply. We could then promulgate it without difficulty."³

Exemption from combines legislation for specific industries is not completely unknown in Canada. It was found some years ago, for example, by the Restrictive Trade Practices Commission that the shipping companies in Canada were operating a cartel in respect of an aspect of their business. It was also found by the Commission, however, that the cartel was in the public interest. The result was the *Shipping Conferences Exemption Act*.⁴

It is clear from the discussions in Committee that a great deal of further consideration will have to be given to the entire question of regulated trades, industries and professions in relation to competition legislation. Your Committee appreciates the difficulty of framing a general exemption covering all regulated activities, as was attempted in clause 92 of Bill C-256, because of the danger that general language may go further than desired in some cases and not far enough in others. On the other hand, your Committee favours a solution whereby the particular regulatory body concerned is responsible for all matters with respect to the industry under its jurisdiction to the exclusion of the *Combines Investigation Act*.

In this connection, the Minister has undertaken that, in availing itself of the split proclamation provisions in clause 31 of the Bill, the Government will not proclaim the Bill in relation to services for purposes of section 32 of the Act for a period of six months after proclamation of the

other provisions of the Bill. A copy of the Minister's letter to the Chairman of your Committee is annexed to this Report.

The interval between passage of the Bill and proclamation, if carried out in accordance with the Minister's undertaking will provide time for a rational analysis of the problems, and, if necessary, for introduction of amendments to other legislation. If the matter cannot be resolved in that way, the introduction of the Phase II amendments to the Act will provide further opportunity for dealing with the problem.

This report has dealt largely with the position of the air transport industry and carriers. However, the discussion is applicable to other regulated and semi-regulated industries. In the latter category, falls the Winnipeg Commodity Exchange which also appeared before your Committee. The Exchange is an unincorporated association and therefore derives no legislative sanction for its activities from its own constitution. There is power under the *Grain Futures Act*⁵ for the Board of Grain Commissioners of Canada to revoke or vary any by-law or rule of the Exchange which in its opinion is prejudicial to the public interest. The position of the Exchange appeared to be that this power of the Board over their operations was sufficient to bring their arrangements with respect to minimum commissions within the protective formula enunciated by Chief Justice McRuer in the *Breweries* case. The Exchange may or may not be well founded in taking that position in view of statements made by the Minister and his officials before this Committee. Their point, however, was that two of the commodities for which the Exchange prescribes minimum commission rates, namely rapeseed and gold, are presently not covered by the *Grain Futures Act*. The delay in proclaiming application of section 32 of the Act to service industries will provide time for the Exchange to seek an amendment to that Act so as to bring rapeseed and gold within the regulatory umbrella of the Board of Grain Commissioners. So as to clarify that these activities remain immune from the *Combines Investigation Act*, the Exchange may also wish to consider in the interval whether the powers of the Board under the Act should be strengthened or whether a specific exemption from combines legislation should be provided in the *Grain Futures Act*. The question in their case (as in all cases) should be examined on the merits: Are minimum commissions in commodity futures trading desirable in the public interest? If the answer is in the affirmative, which it apparently has been since the beginning of the Exchange's operations nearly a hundred years ago, then there seems little doubt that the supervision should come from the Board of Grain Commissioners rather than the Director of Investigation and Research under the *Combines Act*. The latter really cannot supervise or regulate. His is a blunt weapon; the sole question is: To prosecute, or not to prosecute.

The position of the Winnipeg Commodity Exchange has been dealt with in some detail because there may well be an analogy with other groups who may wish to take advantage of the deferred proclamation to analyse their

¹ Ibid, p. 7

² Ibid, p. 9

³ Ibid, p. 10

⁴ R.S.C. 1970, Chap. 39 (1st Supp.)

⁵ R.S.C. 1970, Chap. G-17.

position and make necessary changes in their own activities, or make representations for change in the legislation governing them or, possibly, in the *Combines Investigation Act* itself.

5. *Franchises.*

Many arguments were addressed to your Committee to the effect that bona fide franchise arrangements should be exempted from the application of the Act. Because the Bill would make tied selling, exclusive dealing and market restriction practices reviewable under the new reviewable practices jurisdiction of the Commission and since one or more of these practices is usually involved in so-called franchise arrangements, it is clear that the Commission will have the power to make orders with respect to franchise agreements. Your Committee believes that the basic elements which must be established by the Director before the Commission can make an order under these provisions, namely, that the effect of the arrangements is likely to lessen competition *substantially*, afford a certain degree of protection to those in the franchise business.

Beyond that, two amendments were made in the House of Commons which go toward meeting the concerns of your Committee. One was the addition of new subsection 31.4(7) clause 12, p. 19. This amendment is particularly designed to exempt one of the kinds of arrangements commonly used in the soft drink bottling industry. The other amendment is the addition of new paragraph 31.4(5)(c), clause 12, pp. 18 and 19 reading as follows:

"(c) a company, partnership or sole proprietorship is affiliated with another company, partnership or sole proprietorship in respect of any agreement between them whereby one party grants to the other party the right to use a trade mark or trade name to identify the business of the grantee, provided

- (i) such business is related to the sale or distribution, pursuant to a marketing plan or system prescribed substantially by the grantor, of a multiplicity of products obtained from competing sources of supply and a multiplicity of suppliers, and
- (ii) no one product dominates such business."

This particular amendment developed in the House of Commons as a compromise to an amendment introduced by an Opposition member which would have completely exempted franchise arrangements. The Minister indicated that the Government would not be prepared to go that far and he then offered the provision referred to above which is now in the Bill. The purpose of the amendment was to exempt arrangements such as those of the IGA Food Stores.¹ However, the Association of Canadian Franchisors requested a hearing before your Committee on the basis that the amendment, because of certain defects in the drafting, would not accomplish its purpose. The Association pointed out that IGA retail outlets purchase all of their supplies from IGA. Such supplies include some IGA brand names but also a wide range of other brands which are purchased by IGA from the suppliers of the other brands and then resold to the individual IGA franchises. The argument was made that the use of the word

"obtained" in line 39 on p. 18 without further qualification implies that, to come within the exemption, the products must be obtained from competing sources by the individual IGA franchises. It was suggested that the words "by the grantor or the grantee" be inserted after the word "obtained" for clarification.

Inasmuch as the amendment was designed to exclude franchise arrangements similar to that of IGA, the submission of the Association of Canadian Franchisors cannot be dismissed lightly. It may be that the Commission will interpret the amendment in a manner favorable to this kind of franchise arrangement. At this stage your Committee is not inclined to recommend that passage of the Bill be delayed so that an amendment can be inserted. However, it does recommend to the Government that the submission of the Association be kept under consideration with a view to making a clarifying amendment, if necessary, at the time the Phase II amendments to the Act are introduced.

6. *Delay for Institution of Proceedings on Summary Conviction.*

The Bill, following amendment in the Commons, has extended the Criminal Code six months limitation period for institution of summary conviction proceedings to two years. Your Committee had recommended that the limitation period be removed all together so that the Crown would always be governed by the gravity of the offence rather than time limitations in electing as to whether to proceed by indictment or summary conviction. It may be desirable to retain a limitation on offences tryable only by summary conviction but your Committee continues to believe that the limitation should be removed for offences tryable either by summary conviction or indictment.

There remains to deal with certain recommendations in the Interim Report which have not been reflected in any way in amendments made to the Bill prior to passage by the House of Commons. No one of these alone is of sufficient importance, in your Committee's opinion, to warrant the delay in passage of the Bill which would result if an amendment were made by the Senate. Moreover, the mere fact that they have been highlighted and openly discussed with those who made submissions to your Committee, as well as with the Minister and his officials, will in itself serve a useful purpose. Those who submitted briefs may to some extent have had their fears allayed and those responsible for administration of the Act will have gained some insight into the problems created by the apparent over-reaching in certain provisions of the Bill. Phase II will undoubtedly raise many of the same issues as the present Bill and it will be possible to develop the precise nature of any required amendments more intelligently in the context of the provisions of both Phase I and Phase II taken together. The items in question are as follows:

1. Your Committee outlined three areas in particular in which it expressed doubts as to the constitutionality of provisions of Bill C-2. Your Committee notes that an Opposition amendment in the Commons making proclamation of certain clauses of the Bill conditional upon a favourable constitutional ruling by the Supreme Court of Canada on reference thereto by the Governor General in Council was ruled out of

¹ See Commons Debates, October 16, 1975, p. 8278.

order by the Speaker of the House of Commons. Without commenting on that ruling, it is obvious that an amendment along similar lines proposed by the Senate would create substantial difficulties. An individual litigant retains the right to test the constitutionality of any provision he desires in the courts and it may be that a court would be able to render a more meaningful decision on a constitutional issue raised in that manner.

2. On the question of the creation of the right of civil damages, your Committee expressed the view that making a conviction a pre-requisite would strengthen the constitutional basis for the right. Your Committee was also concerned by the provision allowing the complete record of proceedings in a criminal case to be used in the civil proceedings. Your Committee continues to have doubts as to the justice and workability of this feature which is contained in new subsection 31.1(2), clause 12, p. 12. This is a procedural matter and your Committee will be satisfied if the matter is kept under surveillance to see whether its doubts prove to be well founded.
3. While in agreement with the provision permitting the Crown to seek an interim injunction, even without notice to the other party, to restrain conduct directed toward the commission of an offence under the Act, your Committee's concern was that where such an injunction turned out, on the merits, to be unwarranted, the Crown (as would an ordinary litigant in similar circumstances) should be liable for any damage caused to the party against whom the injunction was obtained. It may be that such liability exists without amendment to the Bill, or that a court would have discretion to impose such liability by making issuance of the injunction conditional upon the Crown executing an undertaking to be liable. Jurisprudence on the subject is not clear where the Crown is the applicant for the injunction and your Committee continues to think that legislative clarification is desirable. However, it may be that the importance of interim injunctions will be even greater with respect to the Phase II amendments to the Act and your Committee therefore agrees that consideration of any amendment may be deferred until that time.
4. Your Committee was concerned that, in the refusal to deal provisions, the Commission will be able to make an order if there is merely "insufficient competition amongst supplier of the product", (paragraph 31.2(1)(b), clause 12, p. 14). Much will depend on the manner in which the Commission interprets the jurisdiction given to it and your Committee is satisfied that this is another area in which any amendment could be developed better in the light of Phase II.
5. Your Committee expressed concern in the Interim Report and this concern was shared by many of those who had occasion to comment on the Bill including members of the Commons Committee on Finance, Trade and Economic Affairs, that the inability to obtain supplies of a particular brand name product might give rise to an order being made by the Commission against the supplier of that product notwithstanding that identical or functionally similar prod-

ucts produced by other suppliers were available. Your Committee's recommendation that an amendment be made clarifying that the word "product" was used in its generic sense was partially accepted in amendments made in the Commons by the insertion of new subsection 31.2(2), clause 12, p. 14. However, that amendment does provide that where a single brand name product is very dominant, its supplier may be made the subject of an order notwithstanding that similar products are available to the complainant. Your Committee fears that as a result of this provision, an already dominant product could become a virtual monopoly, a condition which is obviously contrary to the objectives of the legislation. It is to be hoped that the Commission will be cognizant of this possibility in its approach to applications under the section.

6. Again in the refusal to deal provisions, your Committee was concerned (new paragraph 31.2(1)(a)) that a person not yet in business at all would be permitted to invoke the refusal to deal provisions in order to force his way into business. Your Committee had and continues to have doubts as to the need for the entire refusal to deal section. However, it appears to be considered important by the Government as a matter of policy and unless the provision is to be deleted in its entirety, it may be preferable to leave it intact. It is to be hoped that the Commission will extend the benefits of the provision to a person not yet in business only with extreme caution.
7. Finally, your Committee expressed doubts as to the sufficiency of the right of appeal from orders of the Commission under section 28 of the *Federal Court Act*. Questions arising under the Commission's reviewable practices jurisdiction are not as likely to produce such purely legal issues as that which arose recently under subsection 10(5) of the Act.¹ In that case a Judge of the Supreme Court of Ontario held, as *persona designata* under the section, that the solicitor client privilege extends, in principle, to the seizure of documents, in the course of an investigation, in the possession of a salaried lawyer employed by the company under investigation. On appeal by the Director under section 28 of the *Federal Court Act*, the Federal Court of Appeal affirmed the decision of the Ontario Judge.

Your Committee has by no means abandoned its recommendation for a wider recourse but nevertheless recognizes the difficulties in giving to an appellate court powers to interfere with questions of fact. It appears that the Commission may receive still further powers pursuant to amendments to be introduced in Phase II at which time the nature of the right of appeal from orders of the Commission will be an even more important topic of consideration.

There is a final matter, not arising out of either of its Reports on the advance study, upon which your Committee considers it should comment. During the debate on the

¹ In re Shell Canada Ltd., 1975. F.C. 184.

report stage of the Bill in the House of Commons, certain amendments increasing the severity of the punishment which may be inflicted by the courts for violation of the offences under the Act were proposed by the Government. Certain subamendments to these amendments were proposed by a member of the Opposition and the Government amendments, as amended by the Opposition member's motion, were adopted by the House. The result is that the punishment provisions of the Act are expressed in an inconsistent manner and it may be that a court would conclude that the intention was to override certain provisions of the Criminal Code which would normally give the court flexibility. These matters were brought to the attention of the Minister when he appeared before your Committee and were discussed with him at some length. The Minister recognized the dangers and he has undertaken to introduce amendments to the end that all punishment provisions of the Act are prescribed in a uniform manner.

Respectfully Submitted,

Salter A. Hayden,
Chairman.

APPENDIX "A" TO REPORT

1. Air Transport Association of Canada.
2. International Air Transport Association.
3. The Winnipeg Commodity Exchange.
4. The National Association of Tobacco & Confectionery Distributors.
5. Association of Canadian Franchisors and Independent Grocers' Alliance.

APPENDIX "B" TO REPORT

Minister
Consumer and Corporate Affairs

The Honourable Salter A. Hayden, Q.C.
The Senate
Ottawa, Ontario

Dear Senator Hayden:

Let me first of all thank you for the time and effort that you have devoted in leading the discussion on the study and examination of Bill C-2, an Act to amend the Combines Investigation Act, by the Senate Committee on Banking, Trade and Commerce.

As I mentioned frequently to you and your colleagues in the Committee, your work was most helpful in revising the legislation and I am looking forward to the same constructive examination and co-operation on Phase II of the revision of competition policy legislation.

On the occasion of our last meeting on Tuesday, December 2, I mentioned to you that I would be willing to undertake to ensure that the proclamation of Bill C-2 as it relates to the application of section 32 to services would be delayed for six months. I also undertook to make certain that in the bill that will be introduced to implement Phase II, there will be a close scrutiny of the penalty provision of the Combines Investigation Act as revised, to make sure that the wording of such penalty provisions are uniform. I would appreciate it if you would communicate to members of the Committee that I have instructed my officials to take all the necessary steps to have these undertakings fulfilled.

Again, please accept my sincere thanks for the patience and effort you and your colleagues have given me in this task. I welcomed the opportunity to appear before the committee and found the discussions most satisfactory.

Yours sincerely,

ANDRÉ OUELLET

House of Commons
Ottawa
K1A 0A6



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 142

Thursday, 11th December, 1975

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Goldenberg,	Macnaughton,	Phillips,
Asselin,	Cottreau,	Grosart,	McDonald,	Quart,
Basha,	Croll,	Haig,	McElman,	Riley,
Beaubien,	Denis,	Hayden,	McGrand,	Robichaud,
Bell,	Deschatelets,	Inman,	McIlraith,	Smith
Benidickson,	Duggan,	Lafond,	McNamara,	(Colchester),
Bourget,	Eudes,	Lamontagne,	Michaud,	Smith (Queens-
Buckwold,	Flynn,	Lang,	Molson,	Shelburne),
Cameron,	Fournier	Langlois,	Neiman,	Sparrow,
Carter,	(de Lanaudière),	Lapointe,	Norrie,	Stanbury,
Choquette,	Fournier	Lefrançois,	Perrault,	Thompson,
Cook,	(Restigouche-	Macdonald,	Petten,	van Roggen.
	Gloucester),			

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, December 9, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Gauthier (*Ottawa-Vanier*) has been substituted for that of Mr. Lapointe on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, December 9, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Alexander has been substituted for that of Mr. Lambert (*Edmonton West*) on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce which was authorized to examine and report upon the subject-matter of the Bill C-60, intituled: "An Act respecting bankruptcy and insolvency", in advance of the said Bill coming before the Senate or any matter relating thereto, tabled the Report of the said Committee thereon.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(*See Appendix to the Journals of the Senate of this day at pages 644-669*).

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the name of the Honourable Senator Smith (*Queens-Shelburne*) be substituted for that of the Honourable Senator Cook on the list of Senators serving on

the Special Joint Committee on Employer-Employee Relations in the Public Service; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting today, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Cook moved, seconded by the Honourable Senator Cameron, that the Bill C-2, intituled: "An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code", be read the third time.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Honourable Senator Cameron moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill C-1002, intituled: "An Act to incorporate the Northland Bank", be read the second time.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Cameron moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Cameron moved, seconded by the Honourable Senator Macnaughton, P.C.:

That Rule 95 be suspended with respect to the Bill C-1002, intituled: "An Act to incorporate the Northland Bank".

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Sparrow, that the Bill C-74, intituled: "An Act to amend the Regional Development Incentives Act", be read the second time.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Hayden, for concurrence in the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-79, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976",

It was—

Ordered, That it be postponed until later this day.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately two o'clock p.m., it was—

Resolved in the affirmative.

12.15 p.m.

The sitting of the Senate was resumed.

2.15 p.m.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Macnaughton, P.C., for the Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-1002, intituled: "An Act to incorporate the Northland Bank", reported that it had examined the said Bill and had directed him to report the same without amendment.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate reverted to Orders of the Day.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on National Finance on the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1976.

The Honourable Senator Sparrow moved, seconded by the Honourable Senator Lefrançois, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to Order the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-79, intituled: "An Act for granting

to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois:

That a special committee of the Senate be appointed to examine and report upon the privileges and immunities that apply to members of the Senate within the precincts of the Senate, and the powers of the Speaker in respect thereof.

It was—

Ordered, That it be postponed until Thursday, 15th January, 1976.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator McNamara, for the adoption of the Report of the Standing Senate Committee on Agriculture on Crop Insurance,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Agriculture be authorized to examine and report upon the subject-matter of the Bill C-41, intituled: "An Act respecting the stabilization of net proceeds from the production and sale of

western grain and to amend certain statutes in consequence thereof", in advance of the said Bill coming before the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 15th December, 1975, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Order in Council P.C. 1975-2780, dated November 25, 1975, approving the Capital Budget of The St. Lawrence Seaway Authority for the year ending December 31, 1975 for the additional period from January 1, 1976 to March 31, 1976.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 640)

REPORT OF STANDING SENATE COMMITTEE ON BANKING, TRADE AND
COMMERCE RELATING TO THE SUBJECT MATTER OF BILL C-60
BANKRUPTCY ACT, 1975

Thursday, December 11, 1975.

INTRODUCTION

On May 13, 1975, the Senate authorized the Standing Senate Committee on Banking, Trade and Commerce to examine and report on the subject matter of Bill C-60 entitled "An Act respecting bankruptcy and insolvency" in advance of the said Bill coming before the Senate. Since that date your Committee has received written submissions from the interested parties listed on Schedule "A" to this Report. In addition to the written submissions, oral presentations have been made by representatives of the associations listed on Schedule "B" attached hereto and the advisors to the Committee have presented a detailed explanation and analysis of the Bill.

Bill C-60 is intended to replace the following statutes which will be repealed, The Bankruptcy Act, The Companies Creditors' Arrangement Act and The Farmers' Creditors' Arrangement Act. In addition, The Winding-Up Act of Canada will no longer be applicable to the winding-up of insolvent companies. Bill C-60 also brings within its jurisdiction the winding-up of insolvent banks, railways and loan, trust and insurance companies. Your Committee has considered the issue of whether or not improvements in the bankruptcy and insolvency legislation could be achieved by amending the existing Act. The effect of Bill C-60 is that existing jurisprudence interpreting the provisions of the present Bankruptcy Act will have little direct value. However, this is the inevitable result of legislative reform.

Bill C-60 introduces many new terms, concepts and procedures which are a very great improvement over the terms of the present Bankruptcy Act. It would be difficult and extremely time consuming to incorporate these provisions into the existing Bankruptcy Act. Your Committee is, therefore, prepared to accept the principle that a completely new Bankruptcy Act should be prepared.

Many changes are required in Bill C-60 in order to reflect a proper balance among the rights of creditors, debtors and the public interest. The draftsmen of Bill C-60 appear to emphasize the rights of debtors to obtain rehabilitation and relief from their debts at the expense of the rights of creditors. From an administrative point of view many functions previously handled by private trustees and by the Registrar in Bankruptcy are delegated to the Bankruptcy Administrator, an employee of the federal government. Your Committee is concerned that this delegation will significantly increase the cost of bankruptcy administration to the taxpayer. It is very difficult to deter-

mine whether the additional benefits achieved will justify the increased cost.

Submissions received by your Committee have mentioned technical flaws in the definitions and the drafting of sections. These submissions have been made available to the Department of Consumer and Corporate Affairs and if the legislation is redrafted we would recommend that the submissions be considered although they are not mentioned in this report. In this report we have attempted to outline the most important changes that your Committee would recommend in Bill C-60.

TERMINOLOGY

The language and terms used in Bill C-60 is somewhat cumbersome and confusing. In order that the provisions of any legislation be understood the use of simple and meaningful language is important.

RECOMMENDATIONS

1. We recommend that the Bankruptcy Administrator be named Bankruptcy Supervisor; this would more closely describe his role in the bankruptcy and arrangement process.

2. The Bill refers to a "Proposal" and is used in the context of an "offer", which "offer" if accepted becomes and "Arrangement". In our opinion, this is a confusing use of language and the term "Arrangement" should be used throughout.

3. We recommend that the terms pertaining to arrangements should be abbreviated as follows:

"Arrangement by way of Composition" should be abbreviated to

"Composition Arrangement";

"Arrangement by way of Extension of Time" should be abbreviated to

"Extension Arrangement",

and the term "preventive commercial arrangement" should be deleted as a preventive commercial arrangement only appears to prevent a bankruptcy.

4. The Bill uses the term "Bankruptcy Order" as opposed to the terminology under the present Bankruptcy Act of "a Receiving order in Bankruptcy" which change in terminology we are in accord with. As to the word "petition" we recommend that the Bill should refer to a "voluntary petition" or an "involuntary petition" so as to clarify exactly what type of proceedings have been followed.

5. The "Certificate of Non-Responsibility" should be changed to "Certificate of Discharge".

ADMINISTRATION

ADMINISTRATOR

Bill C-60 provides for the appointment of bankruptcy administrators in each district who are full-time employees of the Office of the Superintendent of Bankruptcy. The bankruptcy administrator will assume the functions presently carried out by the official receiver, the registrar, and in some instances the trustee in bankruptcy. In addition to performing his tasks under the present Act which are principally of an administrative and investigatory nature, his function will be augmented by his involvement with the small debtor arrangement program, consumer/debtor bankruptcies, and he will also administer commercial bankruptcies where a private trustee cannot be found to administer the same or dies during the course of his administration.

The administrator, when acting in the capacity of a trustee, will be entitled to receive the same remuneration and expenses as a private trustee and will have his accounts taxed by his own superior, namely, The Superintendent of Bankruptcy.

Under certain conditions, the office of the official receiver presently administers "no asset personal bankruptcy" cases for a fee of fifty dollars (\$50). In order for a personal bankruptcy file to qualify for the fifty dollar (\$50) fee and to be administered by the official receiver, the insolvent bankrupt must earn less than three thousand dollars (\$3,000) per annum if he is single and less than five thousand dollars (\$5,000) per annum if he is married. These minimum amounts are increased by five hundred dollars (\$500) per annum for every dependent which he supports; also, the debts must not have been business debts.

The Bill proposes that the bankruptcy administrator should administer arrangements for the consumer debtor.

The Bill gives the administrator the sole authority to oppose the discharge of a bankrupt or to apply to the Court for an order imposing the status of "deemed bankrupt" on an officer, director or agent of a bankrupt corporation.

Under the present Bankruptcy Act there appears to be a duplication of work performed by the Office of the Superintendent of Bankruptcy and the Registrar in respect of the taxation of trustee accounts. It is obvious that for this reason the draftsmen of Bill C-60 propose to eliminate the function of the Registrar.

The Background Papers which were released by the Department of Consumer and Corporate Affairs at the time Bill C-60 was tabled in the House of Commons indicate that the administrator will be directly involved in the financial rehabilitation of consumer/wage-earner debtors. There does not seem to be a rehabilitation process included in Bill C-60 unless the draftsmen are referring to the

administrator preparing the arrangement as a form of rehabilitation.

The designation of the officer of the Superintendent of Bankruptcy as "Bankruptcy Administrator" is a misnomer and recommendation is made that his title should be "Bankruptcy Supervisor".

RECOMMENDATIONS

1. The office of the Superintendent of Bankruptcy is presently geared to handle "no asset personal bankruptcy" cases and, accordingly, we concur that their present policy should be so extended to include all "no asset personal bankruptcy" cases as we deplore the necessity of honest financial hardship cases being required to pay a fee in order to go bankrupt and free themselves of their debts. Private trustees should also be permitted to handle "no asset bankruptcies".

2. We are in accord with the provision whereby the administrator will administer arrangements for the consumer debtor; however, the Bill proposes to give creditors very little say in the administration of consumer and wage-earner debtor arrangements. We are of the opinion that necessary amendments should be made to the Bill whereby creditors have substantially more input in arrangements filed with the administrator.

3. We are of the opinion that the administrator must obtain input from interested creditors when opposing discharges and when applying to the court for an order imposing the status of "deemed bankrupt" and must not be granted the sole right to act independent of the trustee, the creditors and the inspectors of a particular file.

TRUSTEE

(a) LICENSING OF TRUSTEES

The Bill proposes that the Superintendent of Bankruptcy and his deputies will continue to be appointed by the Minister of Consumer and Corporate Affairs. It is however also proposed that the Superintendent of Bankruptcy's only obligation to the Minister of Consumer and Corporate Affairs is to report to him on an annual basis on the administration of the Bankruptcy Act. Appointments both to the office of the Superintendent of Bankruptcy and of licensing trustees were heretofore made by the Minister of Consumer and Corporate Affairs on the recommendation of the Superintendent of Bankruptcy. These appointments will now solely be within the discretion of the Superintendent of Bankruptcy.

The Bill recommends an extension of the present procedure which provides for the issuance and renewal of a trustee's license for a given term. The Bill suggests that the term not exceed two years. We understand the renewal of licenses to be a cumbersome procedure and should be automatic unless something has come to the attention of the office of the Superintendent of Bankruptcy which would cause the trustee's license not to be renewed. Provisions have been made to facilitate the licensing of corporate trustees thereby overcoming the difficulties presently encountered in obtaining authorization to so act in several

provinces. Also the Bill provides for the Superintendent of Bankruptcy to remove a trustee's license summarily without provision for an appeal process.

(b) TRUSTEE AND INTERIM RECEIVER

There appears to be a double standard created as to the duty of care that must be exercised by the interim receiver and trustee under Section 35 of the Bill and that which must be exercised by the secured creditor under Section 240(5).

RECOMMENDATIONS

1. It is our opinion that the Minister of Consumer and Corporate Affairs plays a vital role in the appointments to the Office of the Superintendent of Bankruptcy both as an administrative control and as a cost control and, accordingly, it is our opinion that these appointments together with the renewal and issuance of trustee's licences should not be left solely to the discretion of the Superintendent of Bankruptcy. The procedures now instituted should continue under any future legislation. We have been advised by representatives of the Office of the Superintendent of Bankruptcy that under the present procedure there may be a delay in this area of administration. We, however, do not believe this delay to be of any great significance.

2. With regard to corporate licensing we recommend that Section 18(2) be amended to read:

"Every corporation that holds a license may carry on the business of a trustee in bankruptcy or as a receiver throughout Canada and shall not, in respect of its operations as a trustee in bankruptcy or as a receiver, be construed to be carrying on the business of a trust company".

3. We recommend that there be an appeal process available directly to the court for the trustee who loses his license.

4. We recommend that Section 35 be amended to establish a higher standard of care to be imposed upon interim receivers and trustees.

(c) DUTIES AND RESPONSIBILITIES OF TRUSTEES

The Bill provides that if at a first meeting of creditors, duly called, a quorum does not attend within one half hour of the time called for the meeting, the meeting is deemed to have been held. This is a good provision as many instances have arisen in the past where creditors have not attended and a new meeting had to be called. Thus, the administration of an estate was delayed.

Under the present Bankruptcy Act, the trustee is required to prepare and file all tax returns which were required to be filed by the bankrupt and which were not filed as at the date of the bankruptcy. This was both a very costly practice and one which did not necessarily produce a recovery for the creditors. The Bill proposes to do away with this requirement and this elimination is welcome.

The present practice is for a trustee in bankruptcy, immediately upon his appointment, to petition the Court via "ex parte" proceedings for a redirection of mail for a

period of three months. The Bill proposes that the granting of this petition is an administrative function should be handled by the administrator and should be granted for a period of 30 days.

Such a routine matter should not involve the time and expense of an application to either a court or the administrator. This procedure could be avoided by providing that a trustee may advise the post office of the bankruptcy of a debtor and thereupon the post office should re-direct to the trustee mail addressed to the debtor.

The Canadian Institute of Chartered Accountants in their submission stated as follows on the "Realization of Property":

"Section 191 provides penalties for trustees who do not adhere to regulations in respect of method of selling assets of the bankruptcy estate. In the past, trustees have been hampered by regulations that are rigid and leave no room for flexibility to deal with special circumstances. It is our understanding that the regulations that were imposed by the Superintendent were a direct result of abuses by some trustees of the tendering process. It is our view that this is wrong, that the creditors suffer as a result of this procedure, and that the Superintendent should take a more positive approach with respect to the bidding process. Our suggestion is that bidders should not be permitted to attend at the opening of bids but that the Superintendent or the administrator should be required to be there unless circumstances indicate that it is unnecessary. We are convinced this would have a beneficial effect on the total realization for the estate if this method were followed, and would satisfy the public with respect to the tendering process."

The Bill provides that a creditor may request the trustee to continue or institute a proceeding that in his opinion would benefit the estate. If the trustee refuses or neglects to institute or continue such a proceeding, the creditor may obtain permission from the Court to institute or continue the proceeding in his own name and in the name of the administrator. These proceedings are instituted at the cost of the creditor. Any benefit derived from these proceedings belongs exclusively to the creditor and any other creditor who joined with him in the proceedings to the extent of their total claims and costs. Any surplus belongs to the estate and is payable to the administrator or where the administrator so directs to the trustee or debtor.

The proposed Bankruptcy Act stipulates that where a bankrupt resides more than 10 miles from the place of a meeting and is requested to attend a meeting other than the first meeting of creditors or a meeting of a board of inspectors, the trustee will pay the bankrupt reasonable expenses for attending the meeting. The trustee should only have the obligation to pay these expenses if there are funds available in the bankrupt estate.

The Bill carries on the tradition of the existing Bankruptcy Act where once a trustee has accepted an appointment as trustee in bankruptcy of a file, he must continue on that file until the administration is terminated. This provision may create difficulties where the trustee at a

date subsequent to the commencement of the administration of a file determines that he has a conflict of interest. We, therefore, recommend that if a conflict of interest arises during the administration of a file that the trustee be permitted to step down provided that another trustee acceptable to the inspectors is prepared to act.

RECOMMENDATIONS

1. No application to a court or to the administrator should be required for a redirection of mail. The trustee without an order should be entitled to require the post office to redirect to the trustee mail addressed to the bankrupt for a period not exceeding three months from the date of the bankruptcy. A court order should be required if the trustee wishes the redirection of mail to be extended beyond the three month period.

2. We agree with the recommendation of the Canadian Institute of Chartered Accountants as it pertains to the realization of assets.

3. We are of the opinion that in a bankruptcy, any surplus funds should be remitted to the trustee on the file and not to the administrator and only paid to the debtor if all monies owing to creditors have been fully discharged.

INTERIM RECEIVER

Bill C-60 sets out the duties and responsibilities of Interim Receivers generally. The powers and duties of the Interim Receiver are as included in the present Bankruptcy Act. The Bill proposes to legislate under what circumstances the Interim Receiver's appointment is terminated and the time frame under which he is to prepare his final accounts for taxation.

The Bill provides that when a debtor files an arrangement a creditor may be "ex parte" petition request for the appointment of an Interim Receiver.

RECOMMENDATION

In our opinion an Interim Receiver should be appointed in the terms and conditions of a proposal as well as during the Notice of Intention period while the proposal is being formulated.

INVESTIGATION BY THE SUPERINTENDENT OF BANKRUPTCY

In 1966 the Bankruptcy Act was amended to give the Superintendent of Bankruptcy extensive investigative powers in connection with a bankruptcy with respect to the conduct, dealings and transactions of the bankrupt, the causes of his bankruptcy and the disposition of his property. Section 6(1) of the Bankruptcy Act. The Bill has broadened the investigate powers to cover offences in connection with any proceedings under Bill C-60 which would include commercial and consumer arrangements as well as bankruptcies. The investigation may also include offences committed before the institution of proceedings under the Act section 53(1).

The Bill gives the Superintendent powers of search and seizure which may seriously disrupt the maintenance of

permanent master files of data by large financial institutions such as banks and trust companies. In this age of the computer, data relating to transactions involving many parties is maintained in permanent master files. Provision should be made for the Superintendent to obtain the information he requires without disrupting the permanent master file.

RECOMMENDATIONS

1. We concur with the extension of the investigatory powers of the Superintendent to include any offence committed in connection with proceedings initiated under the Bill whether or not the proceedings had in fact been commenced when the offence was committed.

2. Where information relating to the dealings and transactions of a person under investigation by the Superintendent is maintained in a permanent master file together with information relating to other parties, the Superintendent shall only be entitled to production of the source documents and the transcription of the data of such person stored in the permanent master file. The Superintendent shall not be entitled to remove from its usual location the permanent master file.

CONFLICT OF INTEREST

The Bill legislates situations under which accountants, solicitors, trustees and other professionals may not act in the event of a bankruptcy. The Canadian Institute of Chartered Accountants in their Brief, report that they understand the following regulation is proposed as it relates to conflict of interest:

"A trustee while he is the trustee of an estate may act for or assist a secured creditor of the estate to assert any claim against the estate or to realize a security interest that he holds if he:

- (a) obtains an opinion of a solicitor not related to the secured creditor that the security interest is valid as against the estate, and
- (b) notifies the creditors or the inspectors of all the circumstances of his relationship with the secured creditor, his remuneration, and the opinion he has received in respect of the validity of the claim of security interest.

A trustee may act for a secured creditor up to the date of the first meeting of creditors while complying with the foregoing paragraph of this regulation."

RECOMMENDATIONS

1. We agree with the recommendation of the Canadian Institute of Chartered Accountants that the foregoing should be incorporated into the new Bankruptcy Act in substitution for Section 30.

2. We are concerned with the strict codification of the definition of the meaning of a conflict of interest within the statute and accordingly are of the opinion that the question of conflict of interest should be dealt with under the rules of conflict of the respective professional bodies.

3. Consideration should also be given to formulating amendments to the Bill whereby trustees may act in two

or more estates which are related, particularly where we are dealing with parent, subsidiary, associated and, related companies, and husband and wife.

4. A solicitor who has acted for a debtor in a particular matter should be entitled to continue to act in the matter if the trustee and the inspectors are of the opinion that it would be beneficial to the bankrupt estate. This would permit the estate to take advantage of the knowledge of the matter acquired by the solicitor.

ARRANGEMENTS FOR THE CONSUMER DEBTOR

Part X of the present Bankruptcy Act permits an insolvent person to apply for a consolidation order which would provide for payment of his debts in full within a period of three years. Such a consolidation order does not apply to:

- (a) a judgment or debt in excess of \$1,000 unless the creditor consents to come under the order
- (b) a debt owing to a government, municipality or school district
- (c) a debt secured by real estate
- (d) a debt incurred by a trader or merchant in the ordinary course of business. Section 189 of the Bankruptcy Act.

These restrictions limit the usefulness of Part X. It is only in force in a province which has requested that it be declared in force in that province. These provinces are British Columbia, Alberta, Saskatchewan, Manitoba, Nova Scotia and Prince Edward Island.

Bill C-60 introduces more elaborate provisions to enable an insolvent consumer or wage-earner to satisfy his obligations to his creditors by paying them in full or in part. The Bill refers to these arrangements as "Arrangements by way of composition" (composition arrangement) and "Arrangements by way of Extension of Time" (extension arrangement). A consumer debtor is defined as an individual who is insolvent but does not include an individual who carries on business and has debts exceeding ten thousand dollars (\$10,000) or such greater amount as may be prescribed by regulation. Section 63(1).

Arrangements are administered by the bankruptcy administrator with whom the debtor files a request. The administrator prepares a proposal for either a composition arrangement or an extension arrangement. Although never defined, a composition arrangement involves part payment on account of the debts and the release of the debtor from the balance of the debts admissible under the arrangement. Section 72. An extension agreement is intended to involve payment of the debts in full including interest as it accrues, over a period of time not exceeding three years.

Proceedings by creditors whose claims are admissible in the arrangement are stayed. In an extension arrangement no claim is admissible for a debt secured by:

- (a) real property
- (b) personal property if
 - (i) less than two-thirds of the debt has been paid

- (ii) the security agreement was given less than 60 days prior to the date of the proposal, and
- (iii) the creditor elects not to participate in the arrangement (Section 78(1)).

In a composition arrangement no claim is admissible where the debt is secured by:

- (a) real property
- (b) personal property if
 - (i) less than two-thirds of the debt has been paid, and
 - (ii) the creditor elects not to participate.

A proposal for a composition agreement must be approved by a majority of the creditors voting at a meeting of creditors called by the administrator. No meeting of creditors is required for the approval of an extension arrangement. A copy of the proposal for an extension arrangement is mailed to all creditors and any objection is filed with the administrator. Any objecting creditor is entitled to have a hearing before the administrator who is then empowered to ratify or amend the proposal. Sections 75 and 76.

If no objections are filed the administrator is deemed to have ratified the proposal which then becomes an extension arrangement. Section 76(2) (3).

The administrator is required to assist the debtor to rehabilitate himself financially and to carry out his financial obligations (Section 80). An arrangement may be for a term not exceeding three years but the administrator has the right to extend the term for an additional year to four years. Section 87(1) (2).

The duties of the administrator with respect to consumer arrangements are quite extensive and time consuming. Your Committee is concerned that the benefit achieved will not justify the administrative costs involved. Many debtors have difficulty meeting their normal living expenses and with the best intentions will be unable to perform their obligations under a consumer arrangement. Unexpected problems such as medical expenses or the repair of an automobile may also cause the debtor to default on an arrangement.

The definition of "debtor" in Section 63(1) will cause problems. Is an individual who practises a profession deemed to carry on business? What about a debtor who has ceased to carry on business? After a request is filed there is no time limit within which an administrator must prepare a proposal. Section 65(1). Nevertheless proceedings by a creditor are stayed by the filing of a request for a proposal. Section 68, which creates the stay of proceedings is confusing since it provides all admissible claims are stayed upon the filing of a request but until the arrangement is proposed it is impossible to determine which type of secured claims are admissible.

The right of a creditor to object to the terms of an extension arrangement is very limited. The final decision as to whether or not the extension arrangement is reasonable is granted to the administrator who prepared it in the first instance. In the case of a composition all creditors, whether secured or unsecured, vote on the proposal as a

class. A majority of the votes of the unsecured creditors have the power to approve a proposal against the wishes of secured creditors. Section 69(3)(5). There is no provision giving secured creditors any greater rights than unsecured creditors in an arrangement.

There is no mention in the Bill of what happens to the rights of creditors who hold security on real property. Since their claims are not admissible in an arrangement, proceedings by such creditors against the debtor are not stayed. Many creditors may take advantage of this loophole to avoid being subject to an arrangement by insisting on a mortgage on real property owned by the debtor whether or not there is any equity in it. Such a creditor could proceed to sue the debtor and garnishee his wages notwithstanding a request for an arrangement has been filed.

The administrator is given limited control over the assets of the debtor. He may arrange for a certificate of judgment or a writ of execution to be filed as a charge against property of the debtor. Section 84. He is also entitled to require the debtor to execute an assignment of his future wages as security for the performance of his obligations under an arrangement. Section 83(3).

Where a debtor is in default for more than three consecutive months, the arrangement is deemed to have been annulled. Section 88(3). This seems to mean that there must be at least four months consecutive default before an arrangement may be annulled. It would be possible for a debtor to make a payment, miss three monthly payments, make another payment and not have his arrangement annulled. This could lead to very serious abuse by debtors.

If an assignment is annulled the rights of creditors are revived. Section 88(4)(c). Does this mean that the portion of a debt which is released by Section 72 is reinstated?

Section 82 will greatly annoy the creditors. It provides that a creditor who is already suffering a loss must pay a fee to the administrator in order to ascertain the terms of an arrangement and how it is being performed.

RECOMMENDATIONS

1. A debtor entitled to make a consumer arrangement should not include a debtor with liabilities in excess of twenty thousand dollars (\$20,000) or such other amount as may be prescribed excluding any debt secured by real property. Using the total amount of the liabilities of the debtor gives the most precise method of determining which debtor is entitled to make a consumer arrangement as opposed to a commercial arrangement.

2. The terms "extension arrangement" and "composition arrangement" should be defined in order to avoid any doubt as to the meaning of the terms.

3. The period of time which may elapse between the filing of a request for a proposal and the filing of a proposal or the rejection of the request should be limited to ten days.

4. A creditor whose debt is secured by real property should be required by the administrator to value his security. The difference between the debt and the value of the

security should constitute a claim admissible in an arrangement. If a creditor does not value his security he shall be deemed to be fully secured.

5. Proceedings by all creditors to exercise a remedy against the debtor or his property should be stayed by the filing of a request for a proposal, save and except proceedings by a creditor to realize upon real property of the debtor subject to his security.

6. A creditor should be given the right to vote by voting letter on both an extension arrangement and composition arrangement. If a majority of the creditors do not approve an extension arrangement it should be held to be rejected. An extension arrangement is an offer of payment to the creditors which permits the debtor to continue using his assets. This privilege should only be accorded to a debtor if his creditors consent thereto.

7. Voting by creditors should be simplified by basing a creditor's votes on the dollar value of his claim.

8. Secured creditors whose claims are admissible in an arrangement should be given the right to realize upon property of the debtor subject to their security if there is one month's default in the performance by the debtor of his obligations under an arrangement.

9. An arrangement should be annulled if there is three months default in an arrangement, whether consecutive or not, unless such default is waived by the administrator.

10. If a proposal is annulled the debtor should be deemed to be automatically bankrupt. This would avoid any harassment of the debtor by his creditors and the administrative cost of separate bankruptcy proceedings. Any money deposited with an administrator on hand when an arrangement is annulled should be paid to the creditors of the debtor by the trustee in bankruptcy of the debtor. For ease of administrative convenience the administrator should act as trustee in bankruptcy where a consumer arrangement has been annulled.

11. The creditor should not be required to pay a fee to the administrator on any reasonable request by him for information concerning an arrangement and the performance by the debtor of his obligations thereunder.

12. Creditors should be required to file claims with the administrator. The provisions in the Bill waiving such a filing if the debt is acknowledged by the administrator could lead to serious abuse by collusion between the debtor and a creditor.

COMMERCIAL ARRANGEMENTS

(a) TERMS

In the present Bankruptcy Act, the term "proposal" is used to cover an offer of compromise to the creditors both before and after it is accepted by the creditors and both before and after it is approved by the court. No distinction is made between a proposal that is made before a bankruptcy and a proposal that is made after the bankruptcy of the debtor. The use of the term "proposal" as being applicable to the different stages of the proceedings has

not created any difficulties in understanding and practice. Bill C-60 uses different terms depending on the stage of the proceedings. It uses the terms "proposal" for an "arrangement", "commercial arrangement" and "preventive arrangement". The use of these different terms depending on the stage and type of proceeding does not add clarity to the legislation and they are not used consistently throughout Bill C-60.

RECOMMENDATION

The only term which should be used under part IV of Bill C-60 is the term "commercial arrangement". It should have a meaning equivalent to the meaning of "proposal" under the present Bankruptcy Act. The use of the adjective "commercial" will enable the proceeding to be distinguished from an arrangement by a consumer debtor.

(b) WHO IS AFFECTED BY AN ARRANGEMENT

Section 91(2) of Bill C-60 stipulates that a creditor is deemed to be affected by an arrangement only where his interest or rights are materially and adversely affected thereby. It is possible that a creditor may have a secured claim against the debtor and not be subject to the arrangement. Also the same creditor may have an unsecured claim which would be affected by the arrangement.

RECOMMENDATIONS

1. Section 91(2) of Bill C-60 should be amended in order to provide that a creditor is deemed to be affected by an arrangement only if his claim or any part thereof, is materially or adversely affected by the arrangement.

2. Recognition should be given to the fact that one creditor with several classes of claims may be affected by an arrangement in respect of one class of claim and may not be affected by an arrangement in respect of another class of claim.

3. Section 91 (3) of Bill C-60 should permit the court to determine to what extent a creditor may be affected by an arrangement.

(c) WHO MAY MAKE A COMMERCIAL ARRANGEMENT

Under the present Bankruptcy Act, only the debtor, whether bankrupt or not, may make a proposal. Section 93 (3) of Bill C-60 enlarges the category of persons who are entitled to make a commercial arrangement in respect of a bankrupt and a debtor. These persons include the trustee in bankruptcy, the liquidator of the debtor, a creditor of a bankrupt and a trustee under a trust indenture if the corporation is a bankrupt. The intent of Bill C-60 is admirable but no provisions are set up to enable such parties to take control of and manage the affairs of the debtor. What happens if the debtor is unwilling or unable to carry out the commercial arrangement proposed by a creditor? Who is entitled to the shares of a corporation if the commercial arrangement is made by the trustee in bankruptcy? After

the commercial arrangement is approved by the court, who is entitled to elect the board of directors of a corporation?

RECOMMENDATIONS

1. The provisions of Bill C-60 which allow persons other than the debtor to make a commercial arrangement for the debtor will only be viable if powers are given to such parties to control the property and affairs of the debtor.

2. If a commercial arrangement is made on behalf of the debtor by someone else pursuant to the provisions of Section 93(3) of Bill C-60:

- (a) if the debtor is a corporation the trustee named in the commercial arrangement should be entitled to vote the shares of the corporation at all meetings of creditors of the corporation held during the period in which the arrangement is outstanding. Thus the trustee would be entitled to elect the board of directors of the corporation.
- (b) if the debtor is an individual the trustee named in the commercial arrangement should be appointed attorney for the debtor with complete powers to manage the business affairs of the debtor and to control the non-exempt property of the debtor during the period in which the arrangement is outstanding.

(d) NOTICE OF INTENTION

Section 94 of Bill C-60 allows a debtor who intends to make a commercial arrangement with his creditors to file a notice of his intention to make such an arrangement. This is a new and useful procedure that is not available under the present Bankruptcy Act. It will give the debtor an opportunity to formulate a realistic and practical commercial arrangement.

It is intended that the filing of a notice of intention will stay proceedings by creditors of the debtor. Section 94(2). The language of Bill C-60 does not accomplish this. The combined effect of Sections 94 (2), 95 (4) and 103 is that creditors who are affected by an arrangement have their proceedings stayed. However, at the time a notice of intention is filed, it is impossible to determine which creditors will be affected by the arrangement since the terms of the arrangement will not have been settled.

The filing of a notice of intention to make a commercial arrangement is an acknowledgment of insolvency on the part of the debtor. In order to prevent an unscrupulous debtor from taking advantage of this procedure by improperly disposing of his assets, it is desirable that an interim receiver of the assets of the debtor should be appointed by the court at the same time as a notice of intention is filed. It has been suggested that this procedure might impose a heavy burden on the debtor since he would be required to pay the costs of the interim receiver. At the present time, most orders appointing an interim receiver given the interim receiver the power to take possession of the assets of the debtor and to control his

receipts and disbursements. Performing these functions, which may involve twenty four hour protection of several premises, may result in heavy costs. This could be avoided by giving the court flexibility in the powers it would grant to the interim receiver.

RECOMMENDATIONS

1. Section 94 (2) should be amended to provide that where a notice of intention has been filed with respect to a debtor no creditor of the debtor may exercise a remedy against the debtor or his property or institute or continue a proceeding for the recovery of a claim without leave of the court.

2. The debtor must obtain leave of the court to file a notice of intention to make a commercial arrangement and such leave should not be granted unless a licensed trustee is appointed interim receiver of the property and assets of the debtor.

3. Immediately after the filing of a proposal, the trustee named in the proposal should be appointed interim receiver of the property of the debtor with such powers as may be set out in the proposal or as the court may determine.

4. The court could authorize the interim receiver to perform one or more of the following functions depending upon the circumstances:

- (i) to take possession of the property and assets of the debtor;
- (ii) to control the receipts and disbursements of the debtor;
- (iii) to manage the business of the debtor;
- (iv) to inspect the books and records of the debtor;
- (v) to make an inventory of the property and assets of the debtor;
- (vi) to borrow for the purpose of financing the business of the debtor and to pledge the assets of the debtor as security for such loans;
- (vii) to receive daily the cash receipts of the business of the debtor and to control the disbursements of the debtor.

5. The trustee named in the notice of intention or in the proposal should be required to stipulate which of the above mentioned powers would provide the creditors with sufficient protection without undue expense.

(e) ACCEPTANCE BY CREDITORS

Under the present Bankruptcy Act a proposal is accepted by the creditors if it is accepted by a majority in number of the creditors voting and by the creditors with 75% of the total of the claims of creditors voting on the proposal. Section 104(3) of Bill C-60 provides that a proposal is accepted by the unsecured creditors if the majority of votes cast by the unsecured creditors, regardless of class, are in favour of a proposal. This could result in an unjust and unfair treatment of small creditors. Creditors with claims of large amounts could accept a commercial arrangement which provided for lesser benefits to the

small creditors. It would be preferable to stipulate that a proposal could only be accepted by the unsecured creditors if each sub-class of creditors affected by the proposal accepts the proposal. Section 104(4) of Bill C-60 states that a proposal is accepted by a class of secured creditors where 75% of the votes cast by that class of creditors is in favour of the acceptance of the proposal.

The present provisions of the Bankruptcy Act give too great a control over the acceptance of a proposal to the larger creditors. Creditors with 26% of the total amount of the claims of creditors voting on a proposal are given the power to veto a proposal. This problem is continued by the provisions of Bill C-60 relating to the acceptance of a proposal by a class of secured creditors. On the other hand requiring only a majority of votes by unsecured creditors for the acceptance of a proposal appears to be retreating too far in the opposite direction. A proper balance should be maintained between the rights of creditors who are in favour of the acceptance of a commercial arrangement and those who oppose it.

A commercial arrangement is a plan for the reorganization of an insolvent person. It is an attempt to permit the financial survival of the debtor. In most situations the terms of a commercial arrangement are interdependent and payments to one class or sub-class of creditors are dependent on each class or sub-class of creditors accepting the commercial arrangement.

RECOMMENDATIONS

1. Acceptance of a commercial arrangement by any class or sub-class of creditors should require an affirmative vote equal to 60% of the votes cast.

2. If one class or sub-class of creditors does not vote in favour of acceptance of a proposal the proposal should be held to be not to have been accepted by the creditors.

(f) DEFINITION OF CLASSES OF CREDITORS

Under the present Bankruptcy Act proposals only affect the rights of unsecured creditors and they are generally treated as one class. No power is given to affect the rights of secured creditors. Bill C-60 clearly attempts to rectify the situation and Section 96 (1) provides that a proposal may affect various classes of creditors which may include secured creditors. This is very desirable particularly with respect to insolvencies in the construction industry when mechanics' liens are filed. Unfortunately, the definition of what constitutes a class as set out in Section 284 (3) is very confusing. It refers to an order of priority for secured creditors as set out in the Act. Bill C-60 does not and should not contain any provisions determining the priority of secured creditors. These priorities should be determined by provincial law.

RECOMMENDATIONS

1. Unsecured creditors whose claims rank on the same level in the order of priority set out in Section 254 of Bill C-60 should constitute a separate class.

2. Secured creditors whose claims are payable out of the same property pro rata on an equal basis should constitute a separate class.

3. For the purposes of a commercial arrangement, a class of creditors may be divided into a sub-class based on the amount of the claim or the type of claim or creditor.

4. A commercial arrangement may stipulate that the classes and sub-classes of creditors may be affected differently.

(g) (i) CHAIRMAN OF MEETING OF CREDITORS

At the present time the Official Receiver, an employee of the Superintendent of Bankruptcy, acts as chairman at the first meeting of creditors in a bankruptcy. The trustee acts as chairman of the meeting of creditors to consider a proposal. The practise of the trustee chairing the meeting of creditors to consider a proposal is undesirable. In most cases, the trustee has been involved in the formulation of the terms of the proposal. He is required to investigate the affairs of the debtor and report to the creditors the results of his investigation. The creditors expect the trustee to make a recommendation whether or not a proposal should be accepted. The duties imposed upon him by the present Bankruptcy Act which are enlarged by Bill C-60 do not permit him to maintain an impartial role at the meeting of creditors. The many contentious issues which arise at meeting of creditors to consider a proposal should be decided by a person who is and appears to be impartial. This role can only be effectively performed by the bankruptcy administrator.

RECOMMENDATION

Bill C-60 should retain Section 279 (1) which stipulates that at every meeting of creditors, the administrator or his nominee, shall act as chairman.

(ii) Voting

Under the present Bankruptcy Act, a creditor has the right to vote on a proposal by voting letter. This saves the creditors the time and expense of attending the meeting of creditors. There is no mention of the use of a voting letter in Bill C-60. It has been suggested that the right to vote by voting letter is retained by the provision in the Bill giving a creditor the right to vote by proxy. Section 286 (1). This is a cumbersome method which could easily be avoided by the simple and direct method of using a voting letter.

RECOMMENDATIONS

1. The right of a creditor to vote by voting letter on a commercial arrangement should be retained.

2. The trustee should be required to mail a voting letter to each creditor with the notice of the meeting of creditors.

(h) INSPECTORS

Under the present Bankruptcy Act the creditors have the right to appoint inspectors to supervise the performance of the obligations of the debtor under a proposal. This power has proven very useful for both the creditors and the trustee. The creditors have the opportunity of being much better informed on the progress of the proposal. Unfortunately, Bill C-60 has omitted any reference to inspectors being appointed for a commercial arrangement.

RECOMMENDATIONS

1. At the first meeting of creditors held to consider the terms of a commercial arrangement, the creditors shall be entitled to elect inspectors for the purpose of advising the trustee acting in the commercial arrangement.

2. The inspectors should be entitled to all the powers of inspectors in a bankruptcy insofar as they may be applicable to the commercial arrangement unless such powers are restricted or enlarged by the terms of the commercial arrangement.

(i) EFFECT ON SECURITY AGREEMENTS

Many security agreements provide that repayment of the loan is accelerated if the debtor makes a proposal under the Bankruptcy Act.

RECOMMENDATION

Notwithstanding the terms of a security agreement, the court should be granted the power to determine whether the filing of a proposal should accelerate repayment of a loan or constitute default under the terms of a security agreement. This would be very desirable if the constitutional problems created could be resolved.

(j) AMENDMENT TO COMMERCIAL ARRANGEMENTS

The present Bankruptcy Act and Bill C-60 give no guidance as to when and how a proposal or commercial arrangement may be amended. Neither of them have any provisions setting out the effect of an amendment.

RECOMMENDATION

Specific references in Bill C-60 should deal with the right to amend a commercial arrangement and the problems arising from an amendment. Such provisions should include the following:

- (a) If a proposal is amended prior to the mailing of notices of the first meeting of creditors, only the amended proposal should be mailed to the creditors.
- (b) An amended proposal, whether amended before or after the meeting of creditors, or before or after the approval of the proposal by the Court, should be deemed to have taken effect as of the date of

the filing of the original proposal. This result would contrast with the consequence of a second proposal being filed by the debtor. A second proposal would only take effect as of the date it was filed.

- (c) A proposal may be amended and voted upon at a meeting of creditors without further notice to the creditors if the amended proposal provides all the creditors affected by it with benefits equal to or better than those provided by the original proposal.

(k) DEFAULT IN PERFORMANCE OF TERMS OF COMMERCIAL ARRANGEMENTS

Section 43 (1) of the present Bankruptcy Act provides that if there is default in the performance of the provisions of a proposal, the court may annul the proposal. Upon such an order being made, the debtor is deemed to have made an assignment in bankruptcy on the date of the annulment order. This date becomes the date of bankruptcy for the purposes of determining whether or not fraudulent preferences and other fraudulent transactions may be attacked.

Section 124 of Bill C-60 continues the present practise by providing that where an arrangement is annulled, the debtor is deemed to have filed a bankruptcy petition on the date of the annulment order. The trustee in bankruptcy may be precluded from attacking the improper transactions which took place prior to the filing of the proposal because of the lapse of time between the date of the proposal and the date of the annulment order.

RECOMMENDATION

For the purpose of attacking improper transactions such as fraudulent preferences after the proposal has been annulled, the date of bankruptcy should be deemed to be the date of the filing of the notice of intention or of the proposal.

SECURED CREDITORS

(a) PRIORITY OF WAGE EARNERS

A very significant aspect of Bill C-60 is the treatment accorded to secured creditors vis-à-vis wage earners. A secured creditor is a person holding an interest or charge upon property as security for the payment of a debt. Section 238 (2) provides that a claim for wages up to \$2,000.00 has priority to all other secured creditors. Under the present Bankruptcy Act claims for arrears of wages rank as preferred creditors to a maximum amount of \$500.00. Preferred creditors rank behind secured creditors. Bill C-60 contains procedures whereby the trustee in bankruptcy may borrow funds to pay wage claims and give security on the assets of the bankrupt for such borrowing in priority over all existing security covering such assets. Sections 238(4), (5), (6) and (7). A secured creditor who is affected by the borrowings of the trustee to pay

wages is entitled to be subrogated to the preference of the wage earner against other assets of the bankrupt and to the wage earner's rights against the directors if the bankrupt is a corporation.

After the bankruptcy has occurred, the employees of a bankrupt company should be promptly paid the wages they have earned. Bill C-60 attempts to accomplish this but at the expense of a serious disruption of the commercial lending system. The ability of the borrower to obtain credit to finance the ongoing operations of his business may be seriously hampered since secured financing will be rendered uncertain. In particular, labour intensive industries may find it extremely difficult to borrow funds. A marginal borrower may be unable to satisfy a lender that he has sufficient equity in his assets to support a loan after provision is made for possible unpaid wages.

The granting of priority does not assure the employees of the wage protection that is intended. Sophisticated lenders may stipulate that their loans be made to an associated holding company which owns all the valuable assets leaving no assets in the operating company available to pay arrears of wages. Alternatively, the assets of a bankrupt may be of such a nature that they are not readily convertible into cash and a lender may be very reluctant to loan money against them. In addition, arrangements to borrow sufficient funds to pay the arrears of wages may take an extended period of time while the lender satisfies itself as to the value of the assets.

The borrowing by the trustee creates administrative problems. Many disputes may arise between the trustee, the lender and the secured creditors because there are no specific details in Bill C-60 setting out the type of security interest which may be given to the lender or the terms applicable thereto. The final allocation of any moneys borrowed against assets covered by security held by several secured creditors will be very complicated.

Since the secured position of the wage earner only arises when a bankruptcy occurs, a secured creditor who feels insecure may attempt to realize upon his security very quickly before bankruptcy proceedings are commenced. This may result in the premature termination of an ongoing business. It also may result in a lower recovery from the assets and a lesser amount available for distribution to other creditors.

RECOMMENDATION

It is the opinion of your Committee that the provisions of Bill C-60 providing that a claim for wages up to \$2,000.00 has priority over all other secured creditors should be struck out. Consideration should be given to the creation of a government administered fund under the authority of the Bankruptcy Act out of which unpaid wages of employees could be paid forthwith upon the bankruptcy. The claim for unpaid wages would cover wages in arrears to a limit of \$2,000.00 and should not include vacation pay, severance pay and fringe benefits. Contributions to this fund could be received from employers and employees. The trustee in bankruptcy would ascertain complete details of the unpaid wages, provide

the necessary information to the officials administering the fund and distribute the payments to the unpaid employees. The fund could be subrogated to the rights of the employees and rank as an unsecured creditor in the distribution of the assets of the bankrupt.

The representatives of the Department of Consumer and Corporate Affairs who appeared before us estimated that the annual amount to be disbursed by such a fund throughout Canada would not likely exceed \$4,000,000.00 if severance pay is not included. Since there are over 9,000,000 employees in the work force in Canada, the amount of each contribution would be relatively modest.

The representatives of the Department who appeared before us stated that a fund of the nature contemplated would provide the employees with the best possible protection. The creation of an insurance fund would assure payment of wages in arrears to a maximum of \$2,000.00 whereas the method of priority proposed under the Bill gives no such assurance.

(b) STAY OF PROCEEDINGS

Under the present Bankruptcy Act, proceedings by secured creditors are not automatically stayed by a bankruptcy. The trustee of the bankrupt estate has the power to apply to the court for an order staying proceedings by a secured creditor for a period not exceeding six months under Section 49 of the present Bankruptcy Act.

Bill C-60 completely reverses the position of the trustee and secured creditor. The filing of a petition for bankruptcy, a notice of intention to file a proposal, or a proposal stays proceedings by a secured creditor. Sections 94(1), 95(4) and 138.

In addition, Section 238(3) provides that after a proposal or petition for bankruptcy is filed, a secured creditor shall not realize or deal with the property of the debtor for a period of ten days after the date of the proposal or the date a bankruptcy order is made. A secured creditor is not entitled to realize upon the property covered by his security until both a proof of claim is filed with the trustee and the trustee has not exercised his right to redeem the property. Section 240(1). The trustee has thirty days from the date of the filing of the proof of claim to exercise his right to redeem. Section 241(2). These restrictions do not apply if the property is perishable or likely to depreciate in value. Section 240(5). Also, the court may postpone the right of realization by a secured creditor if the postponement does not cause hardship and no payment of principal or interest is in arrears for more than six months. Section 242(1).

The provisions of Bill C-60 staying proceedings by secured creditors without leave of the court place the burden on the secured creditor to satisfy the court that he is being prejudiced by the stay of proceedings. This reverses the present law which places upon the trustee the burden of proving that the secured creditor will not be prejudiced by the stay of proceedings. A problem created by the terms of Bill C-60 effecting such a stay results from

the fact that secured creditors such as mechanics' lien claimants are subject to rigid time deadlines to perfect their security. Under Ontario law, if a mechanics' lien is not filed within 37 days after the last work was done, the right to a mechanics' lien is lost. Other filing deadlines apply to debentures chattel mortgages, conditional sale contracts and assignments of book debts. Section 402 of Bill C-60 attempts to rectify this problem by removing the period during which the rights of a creditor are stayed from any limitation period deadline. This would be completely ineffective if a creditor had a right to file a mechanics' lien and the trustee in bankruptcy sold the property before the mechanics' lien was filed.

RECOMMENDATION

All creditors should be permitted to take any steps necessary to perfect their security such as registration or giving notice to third parties, notwithstanding the fact that bankruptcy proceedings have been commenced. This does not mean that there would be no restrictions with respect to their realization upon the assets of the debtor subject to their security.

(c) REALIZATION BY SECURED CREDITORS

Under the present Bankruptcy Act, the trustee in bankruptcy has very little power or control over the realization by a secured creditor on the assets of a bankrupt subject to his security and the costs incurred. Bill C-60 attempts to rectify this problem. Under it the trustee may require the property to be sold on terms and conditions satisfactory to the secured creditor and the trustee or as the court may direct. Section 240(3). A secured creditor may require a trustee to elect whether he will exercise his power to redeem the security interest or require the property to be transferred. Section 241(1). The trustee has thirty days to reply to the above notice from the secured creditor. Section 241(2). Even if the trustee does not receive such a notice, he has the right to redeem the security interest or to require the property to be realized. Section 241(3). Upon giving notice of intention to redeem or to require the property to be realized, within three months after the service of the notice of election the trustee must pay to the secured creditor the amount of the secured debt or the value of the property as set out in the proof of claim or the net proceeds of realization, whichever is the lesser. If the trustee fails to redeem the property, he loses his right to redeem or to require the property to be realized, the interest of the trustee in the property vests in the creditor, the debt owed to the secured creditor is reduced by the amount of the valuation in the proof of claim and the trustee loses his right to inspect the property. Section 241(5).

The thirty day stay upon realization will create many practical problems. Who will be responsible for protecting the assets? Who will be responsible for payment of rent for the premises if the assets are located on leased premises? Who will collect the accounts receivable? Will the

trustee or the secured creditor be entitled to carry on the business of the bankrupt? If so, who will finance the continued operation of the business of the bankrupt?

RECOMMENDATIONS

1. The stay of proceedings imposed upon the realization by a secured creditor should be modified. If permitted by the security instrument, the secured creditor should be allowed to take possession of the property of the bankrupt subject to his security, to carry on the business of the bankrupt and to collect the accounts receivable of the bankrupt. Upon the making of a bankruptcy order, the right of the secured creditor to realize or sell the property of the bankrupt out of the ordinary course of business should be stayed for ten days from the date the secured creditor files with the trustee a proof of claim setting out the following information if applicable or for ten days after the first meeting of creditors, whichever is the later:

- (a) The total balance owing;
- (b) The amount of any payments in arrears;
- (c) The security agreement;
- (d) The court order appointing a receiver;
- (e) The instrument appointing an agent or receiver;
- (f) All acts taken to date and expenses incurred;
- (g) The method of sale proposed by the secured creditor;
- (h) An estimate of the value of the property;
- (i) Details of the property in the possession of the secured creditor.

2. Such a proof of claim should be filed by the secured creditor with the trustee within ten days after receiving a notice from the trustee requiring the same. If the secured creditor does not file such a claim, the secured creditor should be required to deliver all the property of the bankrupt in his possession to the trustee.

3. Upon the filing of the notice of an intention to make a proposal, a proposal or a petition for a bankruptcy order, any party, including an interim receiver, should be entitled to apply to the court for a stay of the proceedings by a secured creditor. Such an order should only be granted if the postponement does not cause hardship to the secured creditor and no payment of principal or interest is delayed for more than six months. A similar power is given to the trustee in bankruptcy in Section 242(1).

4. In addition, the court should be given the power to control the method of realization by a secured creditor and the costs incurred in the realization. The costs and expenses of realization by a secured creditor should be subject to taxation by the court. The secured creditor should be required to pay to the trustee any surplus remaining within fifteen days after the accounts have been taxed.

In these recommendations, your Committee has attempted to maintain an even balance between the right of a secured creditor to realize upon the assets covered by the security agreement for which he bargained when he loaned the money to the bankrupt and the need of the trustee in bankruptcy to have a reasonable time to assess

the situation in order to obtain the maximum recovery for unsecured creditors.

EXEMPT PROPERTY

Section 47 of the present Bankruptcy Act stipulates that property of the bankrupt which is exempt from seizure under the laws of the province within which the property is situated and within which the bankrupt resides does not vest in the trustee in bankruptcy for distribution among the creditors. The nature and value of the assets which are exempt from execution vary from province to province. Most provinces have stipulated the type of tangible assets which are exempt up to a maximum value. In addition, intangible benefits and rights such as pension benefits, armed service allowances, family allowances, unemployment insurance and Mothers' allowances are exempt from seizure. No maximum limitation is imposed on these benefits.

Most provinces provide that insurance policies are exempt if the beneficiary is either the spouse or child of the insured. The purpose of this is to encourage a man to maintain life insurance for the protection of his family.

Section 145 of Bill C-60 states that all the property of the bankrupt at the date of the bankruptcy order vests in the trustee except:

- (a) real and personal property exempt from seizure under provincial law
- (b) rights under an insurance policy if an amount equal to the cash surrender value thereof is paid to the trustee
- (c) benefits payable to a disabled person under an insurance policy, a retirement savings plan or a pension fund or plan.

Bill C-60 also establishes a uniform exemption across Canada of three thousand dollars (\$3,000) in respect of the value of assets which will not vest in the trustee in bankruptcy for distribution among the creditors. This is effected by an awkward method. A bankrupt who retains exempt property with a value in excess of three thousand dollars (\$3,000) will not be discharged from his debts. Section 150. This low limit on exempt assets is in accordance with the general philosophy of Bill C-60, the thrust of which directs and encourages insolvent persons to make an arrangement for payment to their creditors rather than use the last resort solution of bankruptcy.

The definition of property in Section 2 of Bill C-60 is all encompassing and includes intangible rights such as pension benefits, family allowances and wages. To apply the maximum exemption to the total value of both tangible and intangible assets belonging to the debtor at the date of bankruptcy would create a very onerous result. The ability of a bankrupt to re-establish himself will be seriously hampered.

The definition of exempt assets in Bill C-60 with regard to insurance policies is more restrictive than the present laws of most provinces which provide that insurance policies are exempt from seizure if the beneficiary is the spouse or child of the insured. It is also more severe with

regard to pension and other types of benefits since only benefits payable to disabled persons are exempt. Your Committee is of the opinion that these provisions of Bill C-60 are regressive and the present policy of encouraging a person to maintain protection for his family and to make satisfactory provision for his old age should be continued.

RECOMMENDATIONS

1. Property that does not vest in the trustee for distribution among the creditors of the bankrupt should include all property which is exempt from seizure under federal and provincial law.
2. No maximum limit should be imposed upon the value of such exempt property.
3. Uniformity of exemption across the country is not necessary.

UNENFORCEABILITY AND REVIEW OF TRANSFERS

(a) DEFINITION OF INSOLVENCY

Under the present Bankruptcy Act the term "insolvent" by itself is not defined. In Section 2 (j) of the present Bankruptcy Act the term "insolvent person" is defined:

as a person who is not a bankrupt and who resides or carries on business in Canada, whose liabilities amount to \$1,000.00, and

- (i) who for any reason is unable to meet his obligations as they generally become due, or
- (ii) who has ceased paying his current obligations in the ordinary course of business as they generally become due, or
- (iii) the aggregate of whose property is not, at a fair valuation, sufficient, or if disposed of at a fairly conducted sale under legal process would not be sufficient to enable payment of all his obligations, due and accruing due.

Section 5 of Bill C-60 has a very limited definition of "insolvent". It provides that a person is insolvent where the property of the person, if it were realized at a fair valuation, would be insufficient to pay all the certain and liquidated debts of that person whether or not the debts are due. Section 6 of Bill C-60 contains provisions as to when a person is deemed to have ceased to pay his debts and also when a person is presumed to have ceased to pay his debts generally as they become due. However, the phrase "ceased to pay his debts generally as they fall due" is never used in Bill C-60. In Sections 140 (3)(b) and 165 the converse term "paying his debts generally as they become due" is used. Section 7 (1) provides that a person is unable to pay his debts if he is unable to pay all his debts that are certain, liquidated and payable. Section 7 (2) provides that a person who has ceased to pay his debts generally as they become due is deemed to be unable to pay his debts. These provisions of Bill C-60 are very cumbersome. A much simpler approach to the problem would be to use the term "insolvent" in the sections of Bill C-60 where the terms "insolvent", "unable to pay his debts" or "cease to pay his debts generally as they fall due" are used. In the following sections the phrase "insolvent or unable to pay his debts"

could be condensed to insolvent if there was an enlarged definition of insolvent: Sections 128, 154 (c), 158 (1)(b), 159 (2)(a) and 164 (1).

RECOMMENDATION

The definition of "insolvent" should be enlarged to read as follows:

"A person is insolvent if:

- (a) a fair realizable value of his property would be insufficient to pay all his certain and liquidated debts whether due or not, or
- (b) if he is unable to pay all his debts which are certain, liquidated and payable, or
- (c) if he has ceased to pay his debts generally as they become due."

(b) DEFINITION OF GIFT

In Bill C-60 the definition of gift in Section 2 includes a designation of a beneficiary under an insurance contract *by way of gift*. This creates a circuitous definition.

RECOMMENDATION

The definition should be changed to read:

"(b) a gratuitous designation of a beneficiary under an insurance contract."

(c) USE OF TERM UNENFORCEABLE

In almost every section of Bill C-60 relating to the right of a trustee to set aside transactions prior to bankruptcy, the transaction is stated to be "unenforceable". The term "unenforceable" is not defined in Bill C-60. It is a new term which has not been used in the present Bankruptcy Act. In Bill C-60 it is used in situations where the trustee would be entitled to recover assets improperly transferred away by the bankrupt. The normal meaning of the word does not give the trustee any power to compel repayment or reconveyance of an asset. It only permits the trustee to defend any attempt by a third party to enforce a claim against assets in the possession or control of the trustee. The present Bankruptcy Act uses the term "void against the trustee". This term has traditionally been interpreted as giving the trustee the right to recover the transferred assets from the person who received it.

RECOMMENDATION

The word "invalid" should be substituted for the word "unenforceable". It should also be used in Section 155 (5) of Bill C-60 which uses the term "void" with a relation to reviewable transactions.

(d) RIGHT OF TRUSTEE TO RELY ON PROVINCIAL LEGISLATION AVOIDING TRANSACTIONS

At the present time, the courts of various provinces have handed down conflicting decisions as to whether or not a trustee in bankruptcy is entitled to rely on provincial legislation setting aside fraudulent preferences. The courts have unanimously upheld the right of the trustee in bankruptcy to rely on provincial laws setting aside

fraudulent conveyances made with the intent to defeat and defraud creditors. Usually the most significant difference between the provincial law and the federal Bankruptcy Act is the time within which a transaction must take place prior to the date of bankruptcy in order to be subject to attack. For example, under Section 73 of the present Bankruptcy Act, a fraudulent preference in favour of a creditor who dealt at arms length with the bankrupt is only subject to attack if it took place within three months prior to the date of bankruptcy. Under Article 1036 of the Civil Code of Quebec, there is no time limit within which a fraudulent preference must have taken place prior to the date of bankruptcy. It is only necessary for the trustee to prove that the payment was made at a time when the debtor was insolvent. The provincial laws and the federal Bankruptcy Act also have certain different requirements with respect to the onus of proof.

Section 155 (1) (b) of Bill C-60 provides that a trustee may review a transfer between parties dealing at arm's length if it took place within one year of the date of bankruptcy and had the intent known to both parties, to impede, obstruct, delay or defraud a creditor. If the effect of the reviewable transaction was to impede, obstruct, delay or defraud the creditors or any of them, the court may make an order declaring the transfer void and restoring each party to the transfer insofar as possible to the state he was in immediately prior to the transfer. Section 155 (5).

There is a very real possibility that Sections 155 (1) and (5) could be interpreted so as to preclude the trustee from relying on the fraudulent conveyance statute of any province for the purpose of setting aside fraudulent conveyances on the ground that the Bankruptcy Act supersedes provincial legislation. These sub-sections are restricted in that they only apply to transactions which occurred within one year of the filing of the bankruptcy petition. Under most provincial fraudulent conveyance acts, transactions occurring within six years prior to the date of bankruptcy may be attacked.

RECOMMENDATION

A specific section should be included in Bill C-60 to provide that a trustee in bankruptcy is entitled to rely on provincial legislation to set aside fraudulent conveyances, fraudulent preferences and any other transactions which are invalid as against creditors under provincial law. Creditors are entitled to the maximum amount of protection available.

(e) SECURITY FOR PRE-EXISTING DEBT

Section 161 (1) of Bill C-60 introduces a completely new provision which provides that a transfer by way of a security interest is unenforceable against the trustee unless the transfer was made within thirty days after the debt was incurred, or within ten days after the property was acquired by the debtor and pursuant to an agreement entered into at the time the debt was incurred. This section prevents a creditor from taking security for a pre-existing debt if the debtor is insolvent at the date of the granting of the security.

No time limit is established within which a bankruptcy petition must be filed. Security taken many years before a bankruptcy may be set aside if the debtor was insolvent at the time such security was given and remained insolvent up to the date of bankruptcy. A transfer could be set aside if there was a bona fide delay in the execution of the security documents or if the security document was executed prior to the date the debt was incurred. It would set aside a conventional building mortgage when the mortgage is signed and registered before the money is advanced.

RECOMMENDATION

Section 161 (1) should be deleted since the provisions relating to the avoidance of fraudulent preferences are sufficient to protect creditors.

(f) VALIDITY OF ASSIGNMENTS OF BOOK DEBTS AND OTHER SECURITY INSTRUMENTS

Section 72 of the present Bankruptcy Act provides that an assignment of book debts is void as against the trustee as regards any book debts that have not been paid at the date of bankruptcy unless it is registered in accordance with provincial law. Section 166 (1) of Bill C-60 varies this and stipulates that an assignment of book debts is unenforceable unless the assignment is registered under a statute that provides for perfection of such an assignment by registration.

The term "perfection" is taken from the Uniform Commercial Code of the United States and the Personal Property Security Act of Ontario which is not yet in force. It is not applicable to most provincial statutes requiring registration of assignments of book debts.

Section 169 of Bill C-60 provides for the purposes of Sections 154 to 168 that where any acts are required by law to make a transfer effective as against third parties and when such acts are not performed within thirty days after the transfer, the transfer is deemed to have been made on the date the last act required was performed. The transfer is deemed to have been made immediately prior to the filing of the petition if every act was not performed prior to the bankruptcy petition.

A problem arises with regard to assignments of book debts. Under the laws of most provinces, registration of an assignment of book debts makes it valid as against a trustee in bankruptcy and the creditors of the assignor. However, to make an assignment of book debts effective as against subsequent assignees of the book debts or a third party demand issued by Revenue Canada it is necessary to give notice to the debtors of the assignor. In order to permit the normal business operations of the borrower most lenders taking the assignment of book debts as security for a loan do not give notice to the debtors of the assignor at the time of the granting of the assignment. Notice is given when the borrower defaults. The lender accepts the commercial risk that his assignment of book debts is not effective as against all third parties.

Similarly under the laws of the province of Ontario an unregistered conditional sale contract covering goods

which are not sold for the purposes of resale will be effective as against the trustee in bankruptcy of the conditional purchaser. It will not be effective as against subsequent purchasers or mortgagees of the goods. Section 169 of Bill C-60 as drafted would deem such a conditional sale contract to have been executed immediately prior to the filing of the bankruptcy petition.

RECOMMENDATIONS

1. Section 166 (1) of Bill C-60 should be deleted. The present Bankruptcy Act and Bill C-60 do not require registration of debentures, chattel mortgages or conditional sale contracts. The validity of these security agreements depends on provincial law. There is no logical reason for the treating assignments of book debts any differently.

2. Section 169 should be varied by deleting the words "third parties" and inserting in their place the words "a trustee in bankruptcy of the transferor".

(g) RIGHTS OF TRUSTEE IF TRANSFER UNENFORCEABLE

Section 76 of the present Bankruptcy Act provides a trustee in bankruptcy with rights against a transferee of property of the bankrupt under a transaction that is set aside, where the transferee has sold, disposed of, realized or collected the property or any part thereof. Similar provisions have not been included in Bill C-60. Section 161 (2) of Bill C-60 does stipulate that when a transfer by way of a security interest is unenforceable, the court may direct the holder of the security interest to preserve the property for the benefit of the estate or may vest the property subject to the security interest in the estate, if such an order does not prejudice a security interest that is prior in time but lower in rank to the security interest that is unenforceable against the trustee. Neither of these alternatives is very practical and it is very difficult to determine when the second alternative would be applicable.

RECOMMENDATIONS

1. Subject to recommendation 2, if a transfer is unenforceable as against the trustee, the trustee should be entitled to recover the property or the value thereof or the money or proceeds therefrom from the person who acquired the property from the bankrupt or from any other person to whom the original transferee may have resold or paid over the proceeds of the property.

2. If the subsequent transferee of the property has paid or given adequate valuable consideration for the property in good faith, a trustee should not be entitled to have recourse against him but should only be entitled to have recourse against the original transferee of the property for recovery of the consideration paid or the value thereof.

3. Where the consideration payable for or upon any sale or resale of such property or any part thereof remains unsatisfied the trustee should be subrogated to the rights of the vendor to compel payment of the amount unpaid.

4. The provisions of Section 161 (2) of Bill C-60 should be deleted.

(h) AVOIDANCE OF PREFERENCES

Under Section 73 of the present Bankruptcy Act a payment to a creditor is set aside as a fraudulent preference if it was made with a view to giving such creditor a preference over other creditors. There have been many court decisions dealing with the issue as to whether or not it is necessary for the trustee to establish that there was concurrent intent on the part of the debtor to give a preference and upon the creditor to receive a preference or whether it is only necessary to prove that there was an intent on the part of the debtor to give the creditor a preference. At the present time this issue has been argued in a case before the Supreme Court of Canada and the decision has been reserved.

Sections 158 and 159 of Bill C-60 setting aside preferential transfers incorporate in their provisions the words "in the normal course of affairs". No reference is made to "intent" or "view". The term "normal course of affairs" is not defined and until there have been many court decisions interpreting it, uncertainty will prevail. It is extremely difficult to determine when the payment of a legitimate debt owing to a creditor would be other than in the normal course of affairs. Nevertheless, the payment could clearly have been made by the debtor with the intent to prefer that creditor. The drafting of a new statute gives an excellent opportunity to establish certainty with respect to the law relating to fraudulent preferences.

(i) TREATMENT OF ARM'S LENGTH CREDITORS

The present Bankruptcy Act contains the presumption that any payment made to a creditor who dealt at arm's length with the bankrupt within three months prior to the date of bankruptcy by an insolvent person is made with the intent to prefer the creditor. This presumption has generated unnecessary litigation. Many creditors who have dealt at arm's length with the debtor have been harassed by trustees relying on this presumption and have been forced to defend proceedings by the trustee to recover such payments. Section 158 (1) of Bill C-60 avoids preferential payments to a creditor who dealt at arm's length with the bankrupt if the payment was made within six months of the date of filing of the bankruptcy petition. Section 158 (2) provides that if such a payment is made within three months of the filing of the bankruptcy petition, it is deemed to be made other than in the normal course of affairs unless the contrary is proved.

(j) TREATMENT OF NON-ARM'S LENGTH CREDITORS

Section 74 of the present Bankruptcy Act sets aside preferential payments made by an insolvent person to a related creditor within one year prior to the date of bankruptcy. Bill C-60 avoids preferential transfers to non-arm's length creditors without any limitation. However, if the transfer was made more than one month and less than one year prior to the filing of a bankruptcy petition, the onus is shifted to the creditor to uphold the validity of the transfer. If the preferential transfer is made to a non-arm's length creditor within one month of the date of the bankruptcy petition, it is only valid if it is in satisfaction of a debt incurred within thirty days of the transfer. This

provision will have the effect of rendering invalid almost all preferential transfers to non-arm's length creditors within one month of the date of the bankruptcy petition.

RECOMMENDATIONS

1. Your Committee is in agreement with the provisions of Bill C-60 which provide that preferential transfers within longer periods prior to the date of bankruptcy may be attacked by the trustee but it is not in agreement with the introduction of the new untested terms and concepts.

2. A transfer that is a preference should only be set aside if it is proven that the transfer was made with the intent of the debtor to prefer the creditor.

3. A transfer that is preference in favour of a creditor with whom the debtor was dealing at arm's length should be invalid against the trustee where the transfer is made:

- (a) when the debtor is insolvent,
- (b) less than six months before filing of a bankruptcy petition, and
- (c) the debtor intended to give the creditor a preference.

The presumption contained in the present Bankruptcy Act that if such a transfer took place less than three months before the filing of a petition, the transfer was made by the debtor with the intent to prefer the arm's length creditor should be deleted.

4. A transfer that is a preference in favour of a creditor with whom the debtor was not at arm's length should be invalid as against the trustee where the transfer is made:

- (a) when the debtor is insolvent, and
- (b) the debtor intended to prefer the creditor.

If such a transfer took place less than twelve months before the filing of a bankruptcy petition, there should be presumption that the transfer was made by the debtor with the intent to prefer the creditor and the onus should be placed upon the creditor to rebut that presumption.

5. In addition, if the preferential transfer was made to non-arm's length creditor within one month prior to the filing of the bankruptcy petition, it should only be upheld if the consideration therefor was given within thirty days prior to the date of the transfer.

LANDLORD AND TENANT

(a) EFFECT OF INSOLVENCY CLAUSES IN LEASES

Under most real estate leases the filing of an assignment in bankruptcy or a proposal under the Bankruptcy Act by the tenant gives the landlord the right to terminate the lease. This may produce a very unjust benefit for the landlord, whose rent has been paid in full, but wishes to cancel the lease because he can relet the premises at a higher price. Similarly, in many leases of chattels, the filing of a proposal under the Bankruptcy Act gives the lessor the right to terminate the lease.

Section 183 of Bill C-60 gives the trustee in bankruptcy of the tenant the right to occupy the premises leased by the bankrupt for three months, to elect to retain the lease

for the balance of its term and/or to assign the lease. It is intended although not specifically stated that the trustee in bankruptcy should be entitled to exercise these powers notwithstanding a term in the lease giving the landlord the right to terminate the lease upon the bankruptcy of the tenant.

Similar provisions were included in the Bankruptcy Act of 1919. They were deleted from the Act when they were held to be ultra vires of the legislative power of the Dominion Parliament in the case of *re Stober*; Ex parte Mark Workman Invt. Corpn. (1923) 4 C.B.R. 34 a decision of a judge of the Superior Court of Quebec.

RECOMMENDATIONS

1. The rights given to a trustee in bankruptcy of a tenant by Section 183 of Bill C-60 are desirable but that section should specifically state that such rights may be exercised by a trustee notwithstanding any term or stipulation in the lease to the contrary.

2. Bill C-60 should include a provision that a debtor who has filed a commercial arrangement shall be entitled to retain the leased premises for the balance of the unexpired term of the lease notwithstanding any provision in the lease which gives the lessor the right to terminate it as a result of the filing of a commercial arrangement. Of course, the debtor must observe the other terms and conditions of the lease.

3. A similar provision should apply to leases of chattels.

(b) PREFERRED CLAIM OF LANDLORD

Section 107 of the present Bankruptcy Act allows a landlord to rank as a preferred claim for arrears of rent for a period of three months immediately preceding the date of the bankruptcy and for three months accelerated rent. A landlord is also entitled to an unsecured claim for any additional rent in arrears. In most provinces the landlord is not entitled to any additional claim for rent owing for the period after the date of bankruptcy. The allowance for accelerated rent has been considered to be compensation to the landlord for the termination of his lease as a result of the bankruptcy of the tenant.

Bill C-60 continues to allow a landlord to rank as a preferred creditor for three months arrears of rent but abolishes his right to any accelerated rent as a preferred claim. Instead the landlord is allowed an unsecured claim for damages arising out of disclaimer of a lease by a trustee after deducting any deposit, accelerated rent and rent paid in advance by the tenant. Section 183(13). This provision will create an administrative problem for a trustee. It will be very difficult for the proper amount of such a claim to be determined. What will be the amount of the claim if the trustee disclaims a long term lease and the landlord re-lets the premises for a shorter term at a lower rent? Who will be able to properly assess the rent which the landlord may receive for the period covered by the remainder of the term of the original lease?

RECOMMENDATIONS

1. Section 183(13) which gives a landlord an unsecured claim for damages as a result of the disclaimer of the lease by the trustee should be deleted.
2. The right of a landlord to a preferred claim for three months accelerated rent should be continued.
3. Any payment made by the trustee on account of occupation rent should be credited against the claim of the landlord for accelerated rent.
4. A landlord should not be entitled to rank as a secured creditor for rent in the event of the bankruptcy of a tenant. This is the law in certain of the provinces at the present time. It is desirable to have uniformity in respect of this matter throughout the country.

INQUIRIES BY THE ADMINISTRATOR

The Bill provides for an extensive inquiry to be carried out by the administrator either on his own initiative or at the request of the Superintendent of Bankruptcy. The consequences of this examination which is based on hindsight and a hypothesis of the financial circumstances at a time prior to the bankruptcy could have a serious effect on the bankrupt and/or his agents.

RECOMMENDATION

We recommend that the Bill be amended to provide for input into the investigation by the administrator by interested parties such as creditors, inspectors and the Trustee; and that prior to the administrator's report being filed a summary procedure be established for a reply to the report by the Trustee, the bankrupt and/or his agents.

OBLIGATIONS IMPOSED UPON OFFICERS AND DIRECTORS

(a) LIABILITY FOR DEFICIENCY IN BANKRUPT ESTATE

Section 176 (1) of Bill C-60 provides that an agent is liable for any deficiency in an estate if the agent in his own interest or in the interest in someone related to him caused the bankrupt corporation when insolvent:

- (i) to carry on business or to enter into a transaction which could not reasonably be considered to be in the interest of the bankrupt;
- (ii) to refrain from carrying on business or from entering into a transaction that at the time would have reasonably been considered to be in the interest of the bankrupt corporation;
- (iii) to continue a business by resorting to sales below cost, ruinous borrowings, or similar acts in circumstances where it was not reasonable to expect that bankruptcy could be prevented, or
- (iv) to conduct a business with a view to impeding, defrauding, obstructing or delaying the creditors of the corporation generally.

An agent is defined in Bill C-60 to include an officer or director of a corporation, the controlling shareholder of a corporation or a person who performed the functions of

an officer of a corporation. Section 2. An agent is not liable if at a later time he can prove the debtor was solvent, the debtor was able to pay his debts and the debtor was paying his debts generally as they become due. Section 176 (3). The liability of the agent is limited to the amount of the loss or damage caused to the estate. Section 178. These sections are new and impose civil liability on persons who are abusing the corporate veil to their own advantage and to the detriment of the creditors of the company. The provisions of Section 176 are applicable if the agent for his own advantage caused the corporation to do a legal act which was not in the best interests of the corporation. The term "in his own interest" is imprecise. In many cases an agent will also be a shareholder of the corporation and an attempt to restore the corporation to financial health is always in the interest of a shareholder. Any step taken by a shareholder to avoid bankruptcy of the corporation could be interpreted to be in the interest of that person. Directors may be reluctant to attempt to rejuvenate a failing corporation if at a later time they could be held responsible for the failure of their efforts.

The term "agent" may also include a receiver or manager appointed by the court or by a creditor to carry on the business of the company. If such a person acts in his own personal interest, he should be subject to the same sanctions as an officer or director of the company. He should not be subject to such sanctions if he acts solely in the interests of the corporation. It has been suggested that the words "someone related to him" could be interpreted as meaning the company for which he is acting as receiver or manager. It is clear that it is not the intention of the section to impose an obligation on a receiver and manager who acts in good faith in what he considers the best interests of the corporation.

RECOMMENDATIONS

1. The phrase "in his own interest" should be clarified in order to establish that it does not include any benefit enjoyed by the agent and others in their capacity as shareholders of the company.

2. The Words "other than the corporation" should be inserted after the words "or the interest of someone related to him" in order to clarify the fact that the person related to the agent must be someone other than the corporation.

3. Sub-section 1(a), (b), (c) and (d) of Section 176 should use similar language. We would recommend that Section 176 (1)(a) read as follows:

"to carry on business in a manner that, at the time, would not have reasonably been considered to be in the interests of the person."

Sub-section (b) would read:

"to enter into a transaction that, at the time of the transaction, would not have reasonably been considered to be in the interests of the person."

Sub-section (c) would read as follows:

"to refrain from carrying on business in a manner that, at the time, would reasonably be considered to be in the interests of the person."

Sub-section (d) would remain the same.

(b) IMPOSING THE STATUS OF A BANKRUPT

At the present time, an officer or director of a bankrupt company is only subject to censure if a criminal offence or an offence under the Bankruptcy Act can be proven. An officer or director of a bankrupt company may set up a similar business as the business carried on by the bankrupt corporation using information and contacts acquired while running the bankrupt corporation. On the other hand, an undischarged individual bankrupt is guilty of an offence under Section 170 of the present Bankruptcy Act if he carries on a business without disclosing to each person he deals with that he is an undischarged bankrupt. He is also guilty of an offence if he obtains credit, other than the supply of necessities, for a total of more than five hundred dollars (\$500.00) without disclosing he is an undischarged bankrupt. No civil disability is placed on contracts between bankrupt and third parties.

Bill C-60 attempts to rectify the present inequities between the restrictions imposed upon an individual who personally goes bankrupt and the lack of restrictions imposed upon officers and directors of bankrupt corporations. It provides that an agent of a corporation may be deemed a bankrupt for the purposes of Sections 210 to 217 and Section 359 if he is found by the court to be primarily responsible for the bankruptcy or if he substantially aggravated the insolvency or if any of the circumstances under Section 200 are proven. An agent of a corporation who is found guilty of culpable conduct is punished by being subject to the same restrictions as an individual who has gone bankrupt. Such an order will be effective for five years from the date of the bankruptcy of the corporation. Section 221 (3)(c).

These sections create an absurd situation. A person who is solvent and able to pay his debts in full is declared to have the status of a bankrupt. They are also very rigid in their nature. The court is not given any discretion in making the order declaring the agent to have the status of a bankrupt.

No variation in the length of time during which the deemed bankrupt status is imposed is permitted. No flexibility in the sanctions imposed is allowed. In addition, the restrictions imposed upon undischarged bankrupts generally are very cumbersome. They impose penalties on third parties dealing with a bankrupt. For example, a person extending credit to a bankrupt directly or indirectly for the purpose of assisting him in carrying on his business cannot enforce repayment of the debt unless the lender can prove he extended such credit in good faith. Section 211. Failure to inquire whether the other party to the agreement is a bankrupt is not proof of bad faith. Section 213. An unfair and unnecessary burden is imposed on credit grantors. An undischarged bankrupt could receive credit and subsequently refuse to repay the debt by alleging that the lender was aware of the fact that he was an undischarged bankrupt when the debt was incurred. This type of abuse of the Bankruptcy Act should not be permitted. Restrictions created by the status of a bankrupt

should only be imposed upon the bankrupt himself and should not derogate from the rights of third parties.

The most common complaint concerning bankruptcy is that a person may go bankrupt but still carry on the same business. This may be accomplished by the use of a corporation or by a bankrupt working for his wife, under the present law.

RECOMMENDATIONS

1. The concept of deeming an officer or director of a bankrupt corporation to be a bankrupt should be deleted.

2. An officer or director of a bankrupt corporation who has been guilty of culpable conduct with respect to the affairs of the bankrupt corporation should have sanctions imposed upon him similar to those sanctions which may be imposed on an individual bankrupt who is guilty of improper conduct.

3. The sanctions imposed upon a bankrupt should not derogate or affect the rights of third parties.

4. The complicated civil sanctions imposed upon an undischarged bankrupt as set out in Sections 210, 211, 212, 213 and 214 of Bill C-60 should be deleted.

5. An undischarged bankrupt and an agent for a bankrupt corporation should be prohibited from directly or indirectly carrying on the same or similar business to that carried on by the bankrupt for a period of two years from the date of bankruptcy. This prohibition would be automatically imposed upon the making of the bankruptcy order without the necessity of an investigation by the administrator. The court should have the power to reduce the period of prohibition or to remove that prohibition if the conduct of the bankrupt or agent was not subject to censure. The court should also have the power to extend the period of prohibition.

6. If a court found that the conduct of a bankrupt or the conduct of an agent of a bankrupt corporation was subject to censure, the following restrictions may be imposed by the court for such period of time as the court may determine;

- (a) He shall not be entitled to act as an officer, director or agent of a corporation;
- (b) He shall be prohibited from directly or indirectly managing or carrying on any type of business.

Such an application could be brought by the administrator, the trustee or a creditor.

7. An individual bankrupt should be required to disclose the fact that he is subject to an order of the court vesting in the trustee the whole or part of his income or property to:

- (a) all persons with whom he incurs debts in the course of carrying on a trade or business, and
- (b) all persons from whom he obtains credit to the extent of \$500.00 or more.

8. A bankrupt or agent of a corporation who fails to follow these restrictions should be guilty of an offence punishable on summary conviction.

MEETINGS OF CREDITORS

Section 87 of the Bankruptcy Act provides that a creditor is entitled to vote at any meeting of creditors if he has deposited with the trustee a proof of claim at any time prior to the time appointed for the meeting. The Bill provides that in order to vote at a first meeting of creditors a creditor must file a proof of claim "at least one clear day before the date fixed for the meeting".

The Bankruptcy Act provides that voting at a meeting of creditors be calculated as follows:

- (a) *One vote* for every claim of over twenty-five dollars and not exceeding two hundred dollars;
- (b) *Two votes* for every claim of over two hundred dollars and not exceeding five hundred dollars;
- (c) *Three votes* for every claim of over five hundred dollars and not exceeding one thousand dollars;
- (d) *Three votes* for every claim of one thousand dollars and *one additional vote* for each additional one thousand dollars or fraction thereof.

The Bill provides that voting at a meeting of creditors will be calculated on the basis of one vote for every claim of \$1,000 or less and one additional vote for each additional \$1,000 or part thereof.

Section 94(4) of the Bankruptcy Act provides for the creditors or the inspectors to fill any vacancy on the board of inspectors. The Bill provides that the only mechanism for filing a vacancy on the board of inspectors is through a meeting of creditors.

RECOMMENDATION

1. We are of the opinion that the requirement to file a proof of claim "at least one clear day before the date fixed for the meeting" may be an onerous burden placed on the creditors and accordingly recommend that the creditor should be entitled to vote provided he files a claim up to the time called for the meeting and at the place the meeting is held. This method which is provided in the present Bankruptcy Act has not placed any undue hardships on the creditors and on the chairman of the meeting.

2. We recommend that voting be based on the actual dollar value of the claim allowed by the chairman of the meeting for purposes of voting.

3. We are of the opinion that the filling of a vacancy on the board of inspectors by a meeting of creditors is a costly and unnecessary expense to the bankrupt estate and recommend that the present practice continue whereby a vacancy on a board of inspectors can be filled by a meeting of inspectors.

BOARD OF INSPECTORS

Bill C-60 continues the practice of the present Bankruptcy Act which provides that a meeting of creditors 5 representatives from the trade and service creditors may be elected to the board of inspectors. Bill C-60, however, goes

further and provides that in addition the Superintendent may appoint an inspector where Her Majesty in right of Canada has filed a claim which has not been disallowed and where Her Majesty in right of a province has filed a claim which has not been disallowed. In addition, the Superintendent may appoint a Supervisor of an estate who shall exercise surveillance over the administration of the estate by the Trustee.

Section 294(4) provides that at every meeting of inspectors a chairman be appointed.

Section 295(2) requires a meeting of creditors to be called to fill vacancies on the board of inspectors.

RECOMMENDATION

1. We are of the opinion that the maximum number of inspectors in an estate should be 5 and that representatives of the Crown must be elected by the creditors to be an inspector. Also, the position of Supervisor should be eliminated and in its stead the Trustee should be required to send notices of all meetings of inspectors to the Bankruptcy Administrator, who may designate a person to attend such meetings of inspectors as he deems necessary.

2. In our opinion, the present provision where a Trustee is a chairman of inspector meetings works well and should be continued.

3. We are of the opinion that implementation of the provision of Section 295(2) will result in an unnecessary expense and vacancies should be filled by the surviving inspectors on any estate.

4. In addition to the powers of inspectors, we recommend that the Trustee must present annually for approval to the inspectors a statement of receipts and disbursements on his administration, which statement or a summary thereof when approved should be forwarded for information purposes to all known creditors in a file.

ORDER OF PRIORITY

The present Bankruptcy Act provides for claims of the Crown to be paid in priority to unsecured creditors. It is generally felt that this is the reason for creditor apathy in the administration of a bankrupt estate. Bill C-60 removes the preferred position of claims of the Crown save and except for the right of the Crown to monies held in trust.

Section 254(1)(i)(vi) of Bill C-60 defers all claims for interest in excess of five per cent which may be owing prior to the date of bankruptcy. Section 257(2) requires the trustee to review any account which was settled between the debtor and the creditor within three years prior to the date of the bankruptcy to determine if interest at a rate in excess of five per cent has been charged. This provision is most unrealistic and will create an administrative nightmare. Why is the rate of five per cent chosen when the rate of interest presently charged by the Bank of Canada is nine and one half per cent per annum? Section 249(2) of Bill C-60 already gives the trustee the right to disallow all or part of a claim if the cost of money borrowed by the debtor is excessive or the terms of the transaction are harsh or unconscionable.

Section 254(1)(j) which is the last subsection in the order of priority provides for the payment of interest at the rate of five per cent from the date of the bankruptcy or the date of the filing of a proposal. Your committee is of the opinion that the payment of such interest to ordinary creditors should have priority over the payment of the claims set out in Subsection 254(1)(i) such as a claim arising from a gift, Subsection 254(1)(i)(iii). It is very doubtful as to whether the type of claims set out in Subsection 254(1)(i) should even rank as claims.

RECOMMENDATIONS

1. Your Committee concurs with the removal of the preferred position of claims of the Crown.
2. Subsections 254(1)(i)(vi), 257(2), 257(3), and 257(4) should be deleted.
3. Subsection 254(1)(j) which provides for payment of interest after the date of bankruptcy should have priority over Subsection 254(1)(i). The order of priority of the subsections should be reversed.

DISCHARGED OF DEBTS

One of the purposes of the Bankruptcy Act is to provide an insolvent person with relief from the burden of his debts. Under Section 148 of the Bankruptcy Act, once discharged a bankrupt is released from the following debts:

- (a) any fine or penalty imposed by a court or any debt arising out of a recognizance or bail bond;
- (b) any debt or liability for alimony;
- (c) any debt or liability under a maintenance or affiliation order or under an agreement for maintenance and support of a spouse or child living apart from the bankrupt;
- (d) any debt or liability arising out of fraud, embezzlement, misappropriation or defalcation while acting in a fiduciary capacity;
- (e) any debt or liability for obtaining property by false pretences or fraudulent misrepresentation;
- (f) liability for the dividend that a creditor would have been entitled to receive on any provable claim not disclosed to the Trustee, unless such creditor had notice or knowledge of the bankruptcy and failed to take reasonable action to prove his claim; or
- (g) any debt or liability for goods supplied as necessities of life and the court may make such order for payment thereof as it deems just or expedient.

Section 233 of Bill C-60 provides that the bankrupt is not released from the following debts:

- (a) a fine or penalty imposed by a Court;
- (b) a debt arising out of a recognizance or bail bond;
- (c) a liability to pay maintenance and support in respect of another person for a period subsequent to the date of bankruptcy or the filing of a proposal.

Your committee does not support the provisions of Bill C-60 which have the effect of releasing a bankrupt from

debts for fraud or necessities of life. The release of a bankrupt from debts incurred as a result of fraud could lead to very serious abuse. The release of a bankrupt from debts for necessities of life might prevent a person from obtaining credit for such necessities in a time of need.

Your committee considers the provisions of the present Bankruptcy Act with relation to those debts which are not discharged by a bankruptcy satisfactory. However, a bankrupt who receives his discharge is left in the uncertain position of being unaware of whether or not a creditor is intending to allege that a particular debt is not discharged by the bankruptcy.

RECOMMENDATIONS

1. The present provisions of the Bankruptcy Act should be retained subject to the removal of the anomaly that only debts for goods supplied as necessities of life are not discharged. All debts incurred for goods supplied or services rendered for necessities of life should not be discharged.

2. If a creditor seeks to establish that the debt owing to him by the bankrupt is not discharged by the bankruptcy he should be required to file a notice of opposition to the discharge of the bankrupt. The failure to file such a notice shall have the effect that such a debt and all other debts of the bankrupt outstanding at the date of the bankruptcy shall be discharged with the exception of those debts listed in Section 233 of Bill C-60. Upon the filing of such a notice of opposition the court should direct a trial of an issue before the Registrar or any judge or officer of any of the courts of the province in order to determine whether or not the particular debt is discharged by the bankruptcy. The order of discharge should set out any debts for necessities or incurred as a result of fraud which are not discharged.

STOCKBROKERS

The present Bankruptcy Act does not contain provisions which apply specifically to stockbrokers or to the administration of the estates of bankrupt stockbrokers. However, such bankruptcies have given rise to many unique and difficult problems. Three situations generate most of these problems:

- (a) Property held in safekeeping or "segregation".

This is property of the client which is left in the possession of the stockbroker for the convenience of both the client and the stockbroker. It is normally, but not always, identified specifically to one client and the relationship is one of bailment or trust.

- (b) Property in transit.

A stockbroker may be indebted to his customer with respect to funds provided for the purchase of securities or resulting from the sale of securities or the stockbroker may have received securities which are to be sold or which have just been purchased. Such funds or securities are normally referred to as "property in transit".

- (c) Property provided to the stockbroker to secure indebtedness.

Some clients borrow money from stockbrokers for security transactions and pledge securities as collateral security therefor. These pledged securities are put into transferrable form by the client. The stockbroker will borrow funds from a bank and pledge these securities as security for such loans. There is no allocation with respect to an individual client when the securities are pledged to a bank.

At the time of a bankruptcy, the bank will sell the most marketable securities held by it. These may be securities of clients which are in default to the broker, but in many cases they are securities of clients who are not in default. When the trustee takes possession, he is often faced with books of account which do not reflect the current status of transactions and deliveries, improper realization and, at times, improper segregation or misuse of securities in safekeeping. Although the property in safekeeping is technically not part of the estate of the bankrupt stockbroker, the trustee is reluctant to return securities to clients until he is certain that they are solely the property of that client. This has caused trustees to seek court approval before dealing with the securities. The result has been substantial time delays and significant expense. This problem is compounded by the volatile nature of the securities market and the potential damages caused by such delays. In most cases when a trustee has brought such an application to the court, the equitable doctrine of tracing has been applied.

A second area of difficulty arises because some clients have had their securities sold by the bank while others have not. The courts have attempted to deal with this problem in several ways. One method has been to decide that tracing is not applicable to securities which have been endorsed into transferrable form and pledged to a financial institution. The effect of this has been to put all of those clients on an equal footing with one another and with the creditors of the stockbroker. The assets of the firm, including any pledged securities which have been returned, are divided equally among such clients and creditors. Another method has been to adopt the concept of "sharing the burden of the loss". In that case, the proceeds of the returned securities are allocated among all the clients having pledged securities.

Bill C-60 contains specific provisions relating only to the bankruptcy of a stockbroker. The Bill attempts to solve the problems created by the application of the doctrine of tracing and by the sale of pledged securities by means of the simple expedient of vesting *all* assets of clients held by the stockbroker in the trustee. A separate fund is established which consists of all money and securities in the possession of the stockbroker at the date of the bankruptcy. Such securities and moneys are treated in the same manner, although they may be held for numerous different purposes and under various differing legal relationships. Clients of the stockbrokers who have claims against the stockbroker for the delivery of securities or the payment of money will have a first claim against the fund

after payment of administrative costs. Section 316. The Bill differentiates between normal clients, (which the Bill refers to as "customers"), member of the firm who were trading in securities, ("related customers"), clients who had contributed to the bankruptcy ("deferred customers"), and trade creditors. The Bill creates an order of priorities for each of these groups against the pool of money and securities held by the stockbroker, with the normal customers having first priority and the deferred customers last.

RECOMMENDATIONS

1. Where securities are in safekeeping or "segregation", they should not be treated as assets of the stockbroker. Those securities should be returned to the clients as quickly and as inexpensively as possible. In most cases there is little difficulty in determining which securities are in safekeeping and to whom they belong.

This recommendation is not intended to continue the cumbersome concepts of tracing. The rights of the trustee to return securities under these circumstances should be strictly limited to securities in "safekeeping" which should be defined in the Bill. Securities in transit should not fall within this definition.

2. Securities belonging to related or deferred customers should vest in the trustee in bankruptcy for the benefit first of customers whose securities are lost or misplaced or whose pledged securities have been sold, and subsequently in the order of priorities provided in the Bill.

3. The following provision should become applicable if a compensation or contingency fund established by the securities industry is in existence and participates in a bankruptcy. Where such a contingency fund is in existence and participates in a bankruptcy, its involvement is normally either:

- (i) to guarantee the bank indebtedness or the stockbroker so that the bank will not realize on its security and there will not be a shortfall, or
- (ii) to reimburse individual customers with respect to any shortfall resulting from the sale of pledged securities or from any loss or misappropriation of securities or money.

Customers with claims for securities in transit should be treated in the same fashion as customers whose securities were delivered to the stockbroker to secure the indebtedness of the customer to the stockbroker. All such customers should share equally in the money and securities in the possession of the trustee at the date of bankruptcy save and except the securities held by the stockbroker in safekeeping which should be returned to the customer by the trustee as soon as possible after the bankruptcy has occurred. The concept of a special customers' fund should be maintained to give the customer whose securities were not in safekeeping the greatest possible protection. This would result in a general sharing of the burden of the loss among such customers and simplify administrative problems.

There are a number of problems to this approach. The first of these is to determine what kind of contingency

fund should permit the use of this provision. Provincial securities legislation refer to compensation funds or contingency trust funds required in respect of registrants under such legislation. If such a fund is satisfactory for the purposes of that legislation, it should be considered to qualify for the purposes of the Bankruptcy Act.

A second difficulty is the determination by the trustee in Bankruptcy of when the contingency fund has become committed to involvement in a bankruptcy. Such a fund should be required to do some overt act to establish its involvement. Once it becomes involved, the claims of all customers, other than related and deferred customers, should be satisfied by the assets of the stockbroker and the fund. The securities in safekeeping would be returned to the customers immediately. Any deficiencies arising with respect to securities in transit, proceeds of pledged securities or securities which have been lost, misappropriated or misplaced should be made up by the contingency funds. Thus, the customers would be completely protected.

The specific commitment that a trustee in bankruptcy would require from the fund would be for it to either guarantee all bank indebtedness or to undertake that all customers other than related or deferred customers were fully compensated at the conclusion of the bankruptcy for any loss suffered as a result of the bankruptcy.

4. If no contingency or compensation fund was in existence or if such fund could not or did not participate, the following provisions would apply:

- (a) All securities in safekeeping would be returned to the customers.
- (b) Customers who are able to trace their securities using tracing rules specifically set out in the Bill would be entitled to receive all the securities which they could trace. A codification of the rules relating to tracing would alleviate the necessity of the trustee in bankruptcy spending time and money to obtain court approval with respect to all but the most unusual situations. This would result in a more rapid and less expensive resolution of stockbroker bankruptcies.

The rules of tracing should be based on the following principles:

- (i) Securities which are "in transit" may be claimed where they can be identified or traced to the customer.
- (ii) Where the securities of a particular type on hand equal or exceed the claims of customers, other than related and deferred customers, for securities of that type, the securities would be returned.
- (iii) Where the securities of a particular type on hand are less than the claims of customers, other than related and deferred customers, for securities of that type, a pro rata distribution of the securities on hand would be made.
- (c) All other moneys and securities of all customers, including related and deferred customers and the

stockbroker would be pooled and either liquidated or used in specie at their values as at the date of the bankruptcy. The distribution of the proceeds and/or the securities would be made to all customers, other than related and deferred customers, on a pro rata basis.

INSURANCE

Part III of the Winding Up Act of Canada applies to the liquidation of insolvent insurance companies. The present Bankruptcy Act specifically excludes insurance companies from the definition of corporations to which the Bankruptcy Act applies. Section 2(f). Section 162 of the Winding Up Act provides that claims against an insolvent insurance company shall be paid in the following order of priority:

- (a) costs of liquidation
- (b) claims of preferred creditors
- (c) if no reinsurance is effected, claims under policies and claims for the value of policies rateably
- (d) if there is reinsurance, *first* claims under policies, *secondly* claims for the cost of reinsurance.

Bill C-60 contains Part VIII, a separate part, which is only applicable to insolvent insurance companies. It permits the federal or a provincial superintendent of insurance to act as a trustee of a bankrupt insurance company. A provincial superintendent of insurance may act as trustee in respect of a company incorporated pursuant to an Act of a provincial legislature if the company is not registered under the Canadian and British Insurance Companies Act. The federal superintendent of insurance may act as trustee of all other insurance companies carrying on business in Canada. Different sections apply to the distribution of assets of a life insurance company and insurance companies which are other than life insurance companies (non-life insurance companies) Section 340(1) and 341 (1). Under Bill C-60 the assets of a bankrupt life insurance company shall be applied in the following order or priority:

- (a) debts incurred by an interim receiver or a trustee while carrying on the business of the debtor
- (b) the costs of administration
- (c) the following claims rateably:
 - (i) claims under policies
 - (ii) claims for value of policies
 - (iii) claims for proceeds of settlements left on deposit
- (d) claims of all other creditors in order of priority of Section 254(1).

The assets of a bankrupt non-life insurance company are distributed differently. After similar provision for the payment of business debts incurred by a trustee or an interim receiver and the costs of administration, the following is the order of priority:

- (a) claims arising out of the liability of the insurance (third party liability claims)
- (b) other types of claims under a policy
- (c) claims for the value of subsisting policies

(d) claims of all other creditors in order of priority of Section 254(1).

Your Committee is of the opinion that in the case of non-life insurance companies third party liability claims should not be paid in priority to other claims arising under a policy such as a fire loss claim. The policy holder who has suffered a fire loss, deserves the same protection as a policy holder involved in a motor vehicle accident.

A concern has been expressed that the bankruptcy of an insurance company could be caused by a catastrophic loss to one large insured. With the provision that all claimants are paid rateably the small claimants would be required to absorb the loss which should have been reinsured. To relieve the small claimants of this burden, it has been suggested that third party liability claims against non-life insurance companies should be subject to a limit of \$50,000 in any one occurrence.

Your Committee is of the opinion that imposing a maximum limit on the amount of a third party liability claim payable out of the assets of a non-life insurance company places too great a hardship on the policy holder who expected to be fully protected. Even if his claim is allowed in full he might suffer a loss if the assets are not sufficient to pay all the claims in full. To impose upon him an additional loss by virtue of the fact that only a third party claim up to \$50,000 would be allowed priority seems unjust and inequitable.

RECOMMENDATIONS

1. With respect to a non-life insurance company third party liability claims should rank rateably with other types of claims under a policy. This maintains the law as it presently exists under the Winding Up Act.

2. Claims for the value of subsisting policies should be subordinated to claims arising under a policy issued by a non-life insurance company.

RECEIVERSHIPS

Many sophisticated lenders require the borrower to issue a debenture as security for the repayment of the loan. Most debentures contain a floating charge on all the property, assets and undertaking of the borrower. The most effective way of enforcing this type of security is the appointment of a receiver and manager who takes possession of all the assets of the debtor and proceeds to realize upon them to satisfy the debt owing to the debenture holder. Similar security is available in the Province of Quebec under the Special Corporate Powers Act using a trust deed which is enforced by the appointment of an agent. Such a person comes within the definition of receiver in Section 342 of Bill C-60.

In the present Bankruptcy Act there are no provisions specifically relating to receiverships. The general law relating to secured creditors is applicable. It permits a secured creditor to proceed with the realization of the assets of the debtor unless the trustee intervenes and obtains a court order staying proceedings by the secured creditor. A common complaint by an ordinary creditor is

that he is unable to obtain information about the receivership and the disposition of the assets of the debtor. It is most important that an equitable balance should be maintained between the right of a secured creditor to have his indebtedness repaid within a reasonable time in the event of default by the debtor and the rights of the trustee and the creditors to obtain the maximum amount from the sale of the assets of the debtor.

Bill C-60 attempts to solve these problems by making all receiverships subject to the order of the court (Sections 343 and 344). These sections are applicable whether or not the receiver was appointed by an order of the court. The powers granted to the court are extremely broad and include the power to abrogate or modify the terms of the original security agreement. Section 343 (3). The court may make any order it thinks fit. Section 344. No restrictions or guidelines are imposed upon the discretion of the court.

Your committee is of the opinion that the provisions of Sections 343 and 344 are unduly restrictive with respect to the rights of secured creditors to enforce the security held by them in accordance with its terms. We are in agreement with the provisions which improve the right of a trustee or a creditor to obtain information from a receiver.

RECOMMENDATIONS

1. The Bill should stipulate a standard of conduct which a secured creditor or a receiver is required to adopt in realizing on security and out of which he cannot contract. We would recommend that the secured creditor or receiver should be required to act in a commercially reasonable manner with respect to matters relating to realizing upon the property of the debtor. If a secured creditor or receiver deviates from such a standard he would be liable to the trustee for any damages suffered.

2. The provisions of Section 242(1) of Bill C-60 which provide the trustee with the right to apply to the court for an order postponing realization by a secured creditor should also be applicable to realization by a receiver.

3. Sections 343 and 344 of Bill C-60 should be deleted.

4. The court should have the power to tax the remuneration and the expenses of the receiver and to order the receiver to pay to the trustee any surplus funds realized from the assets of the debtor.

COURTS

(a) REGISTRAR IN BANKRUPTCY

Bill C-60 continues the present practice of giving the Supreme or Superior Court of the province or territory where the bankruptcy occurs the right to adjudicate on bankruptcy matters. It also gives the Minister of Consumer and Corporate Affairs with the concurrence of the Minister of Justice the power to authorize a judge of a county court to exercise any or all of the powers of the Supreme or Superior Court in bankruptcy matters.

The position of registrar in bankruptcy has been abolished and matters previously decided by the registrar will be heard by officers and judges of the trial division of the

Supreme or Superior Court of the province and by the bankruptcy administrator. As a result, the adjudication on bankruptcy matters will be delayed because in most cases the regular civil court process takes longer to determine an issue than the length of time taken by the registrar under the present system. At the present time the registrar in bankruptcy gives precedence to urgent bankruptcy matters, such as the appointment of an interim receiver and the making of a receiving order when a petition in bankruptcy is not disputed. It is unlikely that the officers and judges of the Supreme or Superior Court hearing all types of civil matters will be able to give these bankruptcy matters the same precedence.

Appeals from the disallowance of claims by the trustee will be heard by the regular civil trial division of the courts. This will delay the winding up of estates and the payment of final dividends because in most cases the length of time for a civil matter to come to trial is much longer than the length of time taken by the registrar to decide cases involving the disallowance of claims. The usual civil procedure for hearing appeals from disallowance of claims is more complicated and elaborate than the procedure followed in most instances by the registrar. This will also delay the final adjudication and increase the legal costs involved in the proceedings.

Judicial matters, such as determining the amount of the remuneration of the trustee and the solicitor have been delegated to the bankruptcy administrator who most likely will not have a legal background or judicial training. The present system using the registrar in bankruptcy to decide minor judicial matters is working efficiently and economically. No valid reason has been given for the abolishment of the present system which uses registrars in bankruptcy. It is most unlikely that the provincial authorities administering justice will give priority to bankruptcy matters.

The registrar under the present Bankruptcy Act is appointed by the Chief Justice of the province and has independent status subject only to an appeal from his decision. At the present time there is no statutory requirement that the office of registrar must be filled by a lawyer but this has been the practice in most provinces.

Under Bill C-60 the bankruptcy administrator will be appointed by the Superintendent of Bankruptcy and will be subject to the control and general direction of the Superintendent. Section 12 (b). This will prevent the administrator from appearing to have an independent status when he is required to adjudicate upon controversial matters.

RECOMMENDATIONS

1. The office of the registrar in bankruptcy should be retained. The registrar should continue to perform functions similar to those being performed at the present time, such as:

- (a) adjudicating on unopposed matters;
- (b) the appointment of an interim receiver;
- (c) ruling on disallowance of claims;

- (d) setting the remuneration of the trustee, interim receiver and accountant;
- (e) taxation of the costs of realization of a secured creditor including the costs of a receiver;
- (f) taxation of solicitors' accounts;
- (g) hearing matters relating to practice and procedure;
- (h) hearing trials of issues referred to him by a judge of the Supreme or Superior Court;
- (i) settling and signing orders and judgments.

2. The office of the registrar should maintain its traditional independence and should be free from outside direction and control.

3. The office of registrar should only be filled by a lawyer.

(b) DESIGNATION OF A BANKRUPTCY JUDGE

Section 155 (1) of the present Bankruptcy Act is omitted from Bill C-60. It provides that the Chief Justice of a province may nominate one or more judges of the Supreme or Superior Court to exercise the judicial powers and jurisdiction conferred by the Bankruptcy Act. In the provinces with the largest number of bankruptcies, Ontario and Quebec, specific judges have been designated to hear bankruptcy matters. This has resulted in bankruptcy matters being set down for a hearing by these judges in priority to regular civil matters. This is very important since many bankruptcy matters such as a hearing of a disputed involuntary petition require urgent adjudication and should not be delayed until adjudicated upon in the normal civil process. In addition, the judges designated to hear bankruptcy matters have developed a familiarity or expertise in deciding bankruptcy matters.

RECOMMENDATION

The present system whereby the Chief Justice of a province may designate specific judges to hear bankruptcy matters should be continued.

(c) POWERS OF THE COURT

(i) to Discharge the Bankrupt

Under the present Bankruptcy Act, every bankrupt must apply to the court for his discharge. Notice of the application for discharge is given to each creditor who has filed a claim with the trustee. The creditor has the right to attend in court and oppose the discharge. This procedure is a serious waste of time and effort in the majority of cases where there is no opposition to the discharge.

Bill C-60 attempts to solve the problem by providing that an individual ceases to be a bankrupt after ninety days elapses from the date of bankruptcy if the administrator has not filed a caveat. Section 221 (1). The right to make the initial determination of whether a bankrupt is entitled to be discharged from bankruptcy has been transferred from the court to the administrator.

No allowance is made for a trustee or a creditor to oppose the bankrupt's discharge. If the bankrupt is discharged from bankruptcy the court does not have the power to order him to pay a portion of his earnings to the trustee for distribution among his creditors or to vest in the trustee property acquired by the bankrupt after the date of his bankruptcy.

Under Bill C-60 the bankrupt is protected because he has the right to appeal to the court from a decision of the administrator to refuse to grant the bankrupt a discharge. No similar right of appeal from the administrator's decision is given to the trustee or to a creditor.

RECOMMENDATIONS

1. Bill C-60 provides that upon his discharge, the bankrupt is entitled to a certificate of non-responsibility. The more accurate description of the procedure in our view would be achieved by the use of the term "discharge" as in the present Bankruptcy Act.

2. The ninety day period provided in Bill C-60 for the filing of a caveat by the administrator is too short a period of time in our view. If a notice of opposition has not been filed within six months after the date of the bankruptcy a certificate of discharge should be issued without an order of the court.

3. The creditors and the trustee in bankruptcy should be given the right to oppose the discharge of the bankrupt along with the bankruptcy administrator.

4. If a notice of opposition is filed, the trustee must apply for a date for the hearing of the bankrupt's application for discharge and notice of the date of hearing must be given to the person filing the notice of opposition and to the bankrupt.

5. Each creditor and the administrator would be given thirty days' notice by the trustee of the fact that the bankrupt would be entitled to a certificate of discharge automatically unless a notice of opposition was filed.

6. The court upon an application for discharge could:

- (a) suspend the grating of the certificate of discharge for any period of time up to a maximum of five years;
- (b) order the bankrupt to pay a portion of his future earnings to the trustee for distribution among his creditors, provided that the amount to be paid shall leave the bankrupt with earnings not less than the amount of the earnings which are exempt from seizure under provincial law.

(ii) To Authorize an Advance to the Trustee or Solicitor on Account of his Remuneration

Section 13(3) of the present Bankruptcy Act provides that a trustee can only receive an advance on account of his remuneration with the permission of the inspectors or the court. By directive to the trustees, the Superintendent of Bankruptcy has stipulated that the trustees must obtain

the permission of the court rather than the permission of the inspectors. Section 38 of Bill C-60 provides that the administrator may authorize payment to an interim receiver, a trustee, a solicitor or an accountant of an advance on his remuneration.

RECOMMENDATIONS

1. The present practise of requiring the trustee to obtain court approval of an advance on account of his remuneration should be retained.

2. A similar approval of the court should be required for an advance to a solicitor.

(iii) Taxation of Accounts

(a) *Accounts of Trustee*

The present Bankruptcy Act provides that the accounts of a trustee for services rendered to the bankrupt estate must be taxed by the court. The trustee prepares his final statement of receipts and disbursements and submits it to the Superintendent of Bankruptcy for his comments. Then he applies to the registrar to have the statement of receipts and disbursements approved. Included in the statement of receipts and disbursements is the amount claimed by the trustee for his remuneration. After the registrar approves the statement of receipts and disbursements, it is sent to all creditors and they have fifteen days to object to the final statement. This objection is heard by the registrar. If there is no objection, the trustee applies to the registrar for an order discharging him as trustee.

This procedure is cumbersome and involves duplication of effort. Both the Superintendent and the registrar are required to peruse each item in the accounts of the trustee. The creditor is also at a disadvantage when he opposes the trustee's final statement of receipts and disbursements because it has already been approved by the registrar.

Bill C-60 transfers the power to tax accounts of the trustee to the bankruptcy administrator with the right of appeal to the court. Sections 37 and 45. This is an attempt to eliminate the present duplication of work. However, fixing the amount of the remuneration of the trustee, if it is contested, is a judicial function as opposed to an administrative function. In many instances there is no dispute over the amount of the remuneration. In these cases, it should be unnecessary to have the accounts taxed by the court. The court should only become involved in taxing the accounts if any interested party, including the administrator, objects to the amount of the remuneration claimed.

RECOMMENDATIONS

1. The trustee should prepare his final statement of receipts and disbursements and insert therein the amount claimed for remuneration. A copy of this statement should be sent to all creditors and to the bankruptcy administrator for the district. If there is an objection by a creditor and/or the administrator, the trustee must apply to the court for an order fixing the amount of his remuneration. Notice of the application and all supporting material should be served on the person filing the notice of opposition at least ten days prior to the date of the hearing.

2. If there is no objection to the statement of receipts and disbursements, the trustee should be entitled to apply *ex parte* to the administrator to have his accounts taxed. Upon the passing of the accounts the administrator would not have the power to vary the amount claimed for remuneration. If the administrator is satisfied that the accounts are correct, he would issue a certificate of termination which would certify that the appointment of the trustee has been terminated.

(b) *Accounts of Solicitors*

The present Bankruptcy Act and Rules require that all accounts of solicitors in excess of \$50.00 for services rendered to a bankrupt estate be taxed by the court. This taxation is performed by the registrar with a right of appeal to the bankruptcy court judge.

Bill C-60 has transferred this power of taxation of a solicitor's fees where such fees are not fixed by the court to the bankruptcy administrator. Section 37. There is a right of review by the Superintendent at the request of the solicitor and the right of appeal to the court. Sections 41 and 45.

In many instances there is no dispute as to the amount of the fees claimed. In these cases the burdensome procedure of taxation should not be required.

RECOMMENDATION

The account of a solicitor for services rendered to the bankrupt estate should be submitted to the trustee and to the administrator. If either party objects to the amount of the account within fifteen days, the solicitor must take out an appointment for taxation of the account by the court. Notice of the appointment should be served upon the trustee and the administrator at least ten days prior to the date of hearing. If no objection to the account is served, the account should be paid by the trustee as soon as sufficient funds are available.

(iv) *Control Over the Administrator*

Section 19 of the present Bankruptcy Act provides that the court has the power to control and overrule the acts and decisions of a trustee. Bill C-60 continues this provision. Section 383. However, Bill C-60 grants many additional powers to the administrator but there is no provision for any review of the decisions of the administrator by the court.

RECOMMENDATION

The court should be given the power to review and overrule the decisions of the administrator upon the application of the bankrupt, any of the creditors or any other person who is aggrieved by his decision. This power should not apply to decisions of the administrator in routine administrative matters.

CONCLUSION

Bill C-60 represents the culmination of many years of study of bankruptcy and insolvency matters which are

necessarily very complex. Your committee was of the opinion that a detailed review and analysis of the Bill was necessary in order to consider the extent of the legal and commercial impact of its provisions. The recommendations we have made are designed to minimize the effect of the new legislation on the commercial lending system and to avoid practical administrative problems. Your committee has recommended the retention of the existing judicial system which is functioning well. Novel concepts in the new Bill have been rejected in situations where your committee is of the opinion that no benefit from a change would be achieved. It is desirable to maintain as much certainty as possible when new legislation is enacted.

Throughout our deliberations we have been assisted by our advisers Melvin C. Zwaig and David E. Baird. We wish to thank them for their efforts on behalf of the Committee.

Your committee also wishes to thank the representatives of the Department of Consumer and Corporate Affairs for their co-operation.

Drafting a bill as detailed and complex as Bill C-60 is a difficult task. Nevertheless, we are confident that the combined efforts of everyone concerned will achieve the goal of producing for Canada a modern practical statute regulating bankruptcy and insolvency matters.

Respectfully submitted,

December 11, 1975

Salter A. Hayden,
Chairman

SCHEDULE "A"

BRIEFS SUBMITTED

1. The Canadian Institute of Chartered Accountants.
2. The Canadian Bar Association.
3. The Canadian Consumer Loan Association.
4. The Toronto, Montreal and Vancouver Stock Exchanges, and the Investment Dealers Association.
5. The Retail Merchants Association of Canada Incorporated.
6. Insurance Bureau of Canada.
7. Federation of Automobile Dealers Association of Canada.
8. Canadian Bankers' Association.
9. Federated Council of Sales Finance Companies.

SCHEDULE "B"

ORAL SUBMISSIONS

1. The Canadian Institute of Chartered Accountants.
2. The Canadian Bar Association.
3. The Toronto, Montreal and Vancouver Stock Exchanges, and the Investment Dealers Association.
4. Canadian Bankers' Association.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 143

Monday, 15th December, 1975

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Buckwold,
Cameron,
Carter,
Choquette,
Cottreau,

Croll,
Denis,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),

Godfrey,
Goldenberg,
Graham,
Grosart,
Inman,
Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,

Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
Michaud,
Norrie,
Paterson,
Perrault,

Petten,
Phillips,
Quart,
Riel,
Riley,
Robichaud,
Rowe,
Smith
(*Colchester*),
Stanbury,
Williams.

PRAYERS.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA
K1A 0A1

DECEMBER 15, 1975.

Madam,

I have the honour to inform you that the Hon. Wishart F. Spence, O.B.E., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 15th day of December at 8.00 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE
Administrative Secretary to the Governor General

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

“It is the desire of the Honourable the Deputy of His Excellency the Governor General, that they attend him immediately in the Senate Chamber.”

The House of Commons being come,

The Clerk Assistant read the titles of the Bill to be assented to, as follows:—

An Act to provide for the restraint of profit margins, prices, dividends and compensation in Canada

An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code

An Act to amend the Canadian Overseas Telecommunication Corporation Act

An Act to wind up The King George V Silver Jubilee Cancer Fund for Canada and to authorize the sale of the assets and securities of the Fund and to transfer the sale proceeds and the balance of moneys to the National Cancer Institute of Canada.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

“In Her Majesty’s name, the Right Honourable the Deputy of His Excellency the Governor General doth assent to these Bills.”

The Honourable the Speaker of the Commons addressed the Honourable the Deputy of His Excellency the Governor General, as follows:—

“May it please Your Honour:

The Commons of Canada have voted supplies to enable the Government to defray certain expenses of the public service:

In the name of the Commons, I present to Your Honour the following Bill:—

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976.

To which Bill I humbly request Your Honour’s Assent.”

After the Clerk Assistant read the title of the Bill,—

To this Bill the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

“In Her Majesty’s name, the Honourable the Deputy of His Excellency the Governor General thanks her loyal subjects, accepts their benevolence and assents to this Bill.”

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, December 11, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Baker (*Gander-Twillington*) has been substituted for that of Mr. Poulin on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-75, intituled: "An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-21, intituled: "An Act to amend the Agricultural Products Cooperative Marketing Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-28, intituled: "An Act to amend the Animal Contagious Diseases Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois, laid on the Table the following:—

Copies of Press Release setting out a decision of the Governor in Council relating to the proposed Agreement between Treasury Board and the Canadian Union of Postal Workers, dated December 11, 1975.

Pursuant to the Order of the Day, the Honourable Senator Cameron moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill C-1002, intituled: "An Act to incorporate the Northland Bank", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Smith (*Colchester*), resumed the debate on the motion of the Honourable Senator Macnaughton, P.C., seconded by the Honourable Senator Sparrow, for the second reading of the Bill C-74, intituled: "An Act to amend the Regional Development Incentives Act".

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Macnaughton, P.C., moved, seconded by the Honourable Senator Godfrey, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois,

seconded by the Honourable Senator Hayden, for concurrence in the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator McNamara, for the adoption of the Report of the Standing Senate Committee on Agriculture on Crop Insurance.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until Thursday, 15th January, 1976.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 144

Tuesday, 16th December, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Croll,	Goldenberg,	Macdonald,	Phillips,
Austin,	Davey,	Graham,	Macnaughton,	Quart,
Barrow,	Denis,	Greene,	Manning,	Riel,
Basha,	Desruisseaux,	Grosart,	McElman,	Riley,
Beaubien,	Duggan,	Hastings,	McGrand,	Robichaud,
Bélisle,	Eudes,	Hays,	McIlraith,	Rowe,
Benidickson,	Flynn,	Inman,	Michaud,	Smith
Bonnell,	Forsey,	Lafond,	Molgat,	(Colchester),
Buckwold,	Fournier	Laird,	Neiman,	Smith (Queens-
Cameron,	(de Lanaudière),	Lamontagne,	Norrie,	Shelburne),
Carter,	Fournier	Lang,	Paterson,	Stanbury,
Choquette,	(Restigouche-	Langlois,	Perrault,	van Roggen,
Côté,	Gloucester),	Lapointe,	Petten,	Williams.
Cottreau,	Godfrey,	Lefrançois,		

PRAYERS.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

TUESDAY, December 16, 1975.

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Joint Chairman of the Special Joint Committee of the Senate and House of Commons on Employer-Employee Relations in the Public Service for the proposed expenditures of the said Special Joint Committee respecting its consideration of and recommendations on Parts I, II and III of the paper entitled "Employer-Employee Relations in the Public Service of Canada", prepared by the Chairman of the Public Service Staff Relations Board, authorized by the Senate on the 14th November, 1974. The said supplementary budget is as follows:

Professional and Special Services	\$10,600
Transportation and Communications	2,500
	<hr/>
	\$13,100

Respectfully submitted,

KEITH LAIRD,
Chairman.

Pursuant to the Order of the Day, the Honourable Senator Barrow moved, seconded by the Honourable Senator Riley, that the Bill C-75, intituled: "An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill C-21, intituled: "An Act to amend the Agricultural Products Cooperative Marketing Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator McGrand moved, seconded by the Honourable Senator Basha, that the Bill C-28, intituled: "An Act to amend the Animal Contagious Diseases Act", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McGrand moved, seconded by the Honourable Senator Basha, that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Hayden, for concurrence in the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act".

After debate,

In amendment, the Honourable Senator Argue moved, seconded by the Honourable Senator Greene, P.C., that the amendments be not now concurred in but that they be referred to the Standing Senate Committee on Agriculture.

After debate, and—

The question being put on the motion, in amendment, it was—

Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An

Act to amend the Criminal Code (commutation of death sentence)”,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes;

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 145

Wednesday, 17th December, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Godfrey,	Macdonald,	Riel,
Asselin,	Cottreau,	Goldenberg,	Macnaughton,	Riley,
Austin,	Croll,	Graham,	Manning,	Robichaud,
Barrow,	Davey,	Greene,	McDonald,	Rowe,
Basha,	Denis,	Grosart,	McElman,	Smith
Beaubien,	Duggan,	Hastings,	McGrand,	(Colchester),
Bélisle,	Eudes,	Hays,	McIlraith,	Smith (Queens-
Benidickson,	Everett,	Inman,	Molgat,	Shelburne),
Bonnell,	Flynn,	Lafond,	Neiman,	Sparrow,
Bourget,	Forsey,	Laird,	Norrie,	Stanbury,
Buckwold,	Fournier	Lang,	Perrault,	Thompson,
Cameron,	(de Lanaudière),	Langlois,	Petten,	van Roggen,
Carter,	Fournier	Lapointe,	Phillips,	Williams.
Choquette,	(Restigouche-	Lefrançois,	Quart,	
	Gloucester),			

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

MONDAY, December 15, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Poulin has been substituted for that of Mr. Baker (*Gander-Twillin-gate*) on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

Attest

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, December 16, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Munro (*Esquimalt-Saanich*) has been substituted for that of Mr. Alexander on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

Attest

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, December 16, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Fairweather has been substituted for that of Mr. Balfour on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

Attest

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-80, intituled: "An Act to provide supplementary borrowing authority for public

works and general purposes", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read a second time later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of Uranium Canada, Limited, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1974, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

The Honourable Senator Forsey from the Standing Joint Committee on Regulations and other Statutory Instruments tabled its Seventh Report as follows:—

WEDNESDAY, December 17, 1975.

The Standing Joint Committee on Regulations and other Statutory Instruments has the honour to present its Seventh Report as follows:

Your Committee approves in principle the concept of legislation relating to freedom of information and therefore recommends:

(1) That the references given to it by the House of Commons December 19, 1974, i.e. the subject-matter of Bill C-225, "An Act respecting the right of the public to information concerning the public business," and the Guidelines for Motions for the Production of Papers tabled December 19, 1974, by the President of the Privy Council, be referred to it again in the next Session of this Parliament together with the evidence adduced in relation thereto;

(2) That the House of Commons consider the advisability of expanding such terms of reference to include an examination of the *Official Secrets Act*, the *Federal Court Act*, the *Statistics Act*, *Prerogative Writs*, and other laws which are related to the question of freedom of information and the protection of privacy; and

(3) That the House of Commons further consider the advisability of directing the Committee to consider the question of automatic data processing in the above context, with due protection for privacy of persons.

Respectfully submitted,

EUGENE A. FORSEY,
Joint Chairman.

The Honourable Senator Barrow for the Honourable Senator Macnaughton, P.C., Acting Chairman, from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-74, intituled: "An Act to amend the Regional Development Incentives Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Barrow moved, seconded by the Honourable Senator Riley, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Agriculture have power to sit while the Senate is sitting today, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Buckwold moved, seconded by the Honourable Senator Carter, that the Bill C-21, intituled: "An Act to amend the Agricultural Products Cooperative Marketing Act" be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Barrow, seconded by the Honourable Senator Riley, for the second reading of the Bill C-75, intituled: "An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Barrow moved, seconded by the Honourable Senator Lefrançois, that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to Order, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-80, intituled: "An Act to provide supplementary borrowing authority for public works and general purposes", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be referred to the Standing Senate Committee on National Finance.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until Thursday, 15th January, 1976.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the Twenty-first General Conference of the Commonwealth Parliamentary Association, held at New Delhi, India, 26th October to 10th November, 1975, and in particular to the discussions and proceedings of the Conference and the participation therein of the delegation from Canada.

Debated.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

After debate,

In amendment, the Honourable Senator McElman moved, seconded by the Honourable Senator Carter, that the motion be not now adopted but that the subject-matter thereof be referred to the Standing Senate Committee on Health, Welfare and Science.

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion in amendment be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 146

Thursday, 18th December, 1975

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Denis,	Goldenberg,	McDonald,	Robichaud,
Asselin,	Deschatelets,	Graham,	McElman,	Rowe,
Barrow,	Duggan,	Greene,	McIlraith,	Smith
Basha,	Eudes,	Grosart,	Molgat,	(Colchester),
Bélisle,	Everett,	Hays,	Neiman,	Smith
Benidickson,	Flynn,	Inman,	Norrie,	(Queens-
Bourget,	Forsey,	Lafond,	Paterson,	Shelburne),
Buckwold,	Fournier	Lang,	Perrault,	Sparrow,
Cameron,	(de Lanaudière),	Langlois,	Petten,	Stanbury,
Carter,	Fournier	Lapointe,	Phillips,	Thompson,
Choquette,	(Restigouche-	Lefrançois,	Quart,	van Roggen,
Cottreau,	Gloucester),	Macdonald,	Riley,	Williams.
Davey,	Godfrey,			

PRAYERS.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill C-75, intituled: "An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Barrow moved, seconded by the Honourable Senator Godfrey, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Everett from the Standing Senate Committee on National Finance to which was referred the Bill C-80, intituled: "An Act to provide supplementary borrowing authority for public works and general purposes", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill, without amendment.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture to which was referred the amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act", presented the following Report:—

THURSDAY, December 18, 1975.

The Standing Senate Committee on Agriculture, to which were referred the amendments made by the House of Commons to Bill S-10, intituled: "An Act to amend the Feeds Act" has, in obedience to the order of reference of Tuesday, December 16, 1975, examined the said amendments and now reports as follows:

Your Committee recommends that the amendments be concurred in with the exception of the third amendment, which it proposes be amended as follows:

Strike out the third amendment and substitute therefor:

"3. Page 3, lines 7 to 30. Strike out lines 7 to 30 and substitute the following therefor:

"contravenes any provision of this Act or the regulations is guilty of an offence and,

(a) if an individual, is liable

(i) on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months, or to both, or

(ii) on conviction upon indictment, to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year, or to both; or

(b) if a corporation, is liable

(i) on summary conviction, to a fine not exceeding one thousand dollars, or

(ii) on conviction upon indictment, to a fine in the discretion of the court.

(1.1) Where a corporation commits an offence under this Act or the regulations, any director or officer of the corporation who authorizes or acquiesces in the offence or fails to exercise due diligence to prevent its commission is guilty of an offence and liable to the punishment provided for in subsection (1)."

With leave of the Senate,

The Honourable Senator Argue moved, seconded by the Honourable Senator Lafond, that the Report be adopted now.

After debate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that further debate on the motion be adjourned until later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture to which was referred the Bill C-28, intituled: "An Act to amend the Animal Contagious Diseases Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Basha, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator van Roggen moved, seconded by the Honourable Senator Grosart:

That the Standing Senate Committee on Foreign Affairs be authorized to publish and distribute Volume I of its

Report on Canadian relations with the United States as soon as it becomes available, even though the Senate may not then be sitting.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Barrow moved, seconded by the Honourable Senator Lefrançois, that the Bill C-74, intituled: "An Act to amend the Regional Development Incentives Act", be read the third time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Asselin, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Eudes:

That the Senate considers it desirable that a special committee of the Senate be established at an early date to inquire into and report upon crime and violence in contemporary Canadian society.

And on the motion in amendment thereto of the Honourable Senator McElman, seconded by the Honourable Senator Carter:

That the motion be not now adopted but that the subject-matter thereof be referred to the Standing Senate Committee on Health, Welfare and Science.

After debate,

In amendment, the Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Choquette, that the motion in amendment be amended by removing the period at the end thereof and adding the following words:

"and that the Committee be instructed to look into and report upon the feasibility of a Senate Committee's inquiring into and reporting upon crime and violence in

contemporary Canadian society and that, if the Committee decides that such a study is feasible and warranted, it be further instructed to set down clearly how, by whom, and under what precise terms of reference such a study should be undertaken."

After debate, and—

The question being put on the motion, in amendment, of the Honourable Senator Asselin, P.C., seconded by the Honourable Senator Choquette, to the motion, in amendment, of the Honourable Senator McElman, seconded by the Honourable Senator Carter, it was—

Resolved in the affirmative.

The question then being put on the motion in amendment of the Honourable Senator McElman, seconded by the Honourable Senator Carter, as amended, it was—

Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eight o'clock p.m., it was—

Resolved in the affirmative. 4.00 p.m.

The sitting of the Senate was resumed. 8.30 p.m.

Pursuant to Order, the Senate resumed the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator Lafond, for the adoption of the Report of the Standing Senate Committee on Agriculture on the amendments made by the House of Com-

mons to the Bill S-10, intituled: "An Act to amend the Feeds Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate concurs in the first and second amendments made by the House of Commons to the Bill S-10, intituled: "An Act to amend the Feeds Act", but has amended the third amendment, to which they desire their concurrence.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Friday, 19th December, 1975, at eleven o'clock in the forenoon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 147

Friday, 19th December, 1975

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Bélisle,
Benidickson,
Bourget,
Cameron,
Carter,
Choquette,
Côté,

Cottreau,
Denis,
Deschatelets,
Eudes,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),

Goldenberg,
Graham,
Greene,
Grosart,
Inman,
Lafond,
Lang,
Langlois,
Lapointe,
Lefrançois,

Macdonald,
Macnaughton,
McDonald,
McElman,
McIlraith,
Michaud,
Molgat,
Neiman,
Norrie,
Perrault,

Petten,
Phillips,
Riley,
Robichaud,
Smith
(*Colchester*),
Sparrow,
Stanbury,
Thompson,
Williams.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

DECEMBER 17, 1975.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. O'Connell has been substituted for that of Mr. Marchand (*Kamloops-Cariboo*) on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill S-29, intituled: "An Act to enable The Eastern Canada Savings and Loan Company and Central & Nova Scotia Trust Company to amalgamate",

And to acquaint the Senate that the Commons have passed this Bill, without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Barrow, seconded by the Honourable Senator Lefrançois, for the third reading of the Bill C-74, intituled: "An Act to amend the Regional Development Incentives Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called for the third reading of the Bill C-75, intituled: "An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof",

It was—

Ordered, That it be postponed until later this day.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-28, intituled: "An Act to amend the Animal Contagious Diseases Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill, without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately two o'clock p.m., it was—

Resolved in the affirmative.

12 noon

The sitting of the Senate was resumed.

4.55 p.m.

A Message was brought from the House of Commons by their Clerk with a Bill C-77, intituled: "An Act to amend the National Housing Act and the Central Mortgage and Housing Corporation Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill be read the second time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill be committed to a Committee of the Whole presently.

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate was accordingly adjourned during pleasure and put into a Committee of the Whole on the Bill, the Honourable Senator Macnaughton, P.C., in the Chair.

—In the Committee—

Pursuant to Rule 18 of the Rules of the Senate, the Honourable Barnett J. Danson, P.C., Minister of State for Urban Affairs, was escorted to a seat in the Senate Chamber.

The Title of the Bill was read and postponed.

Clause 1 of the Bill was read.

After debate, and—

The question of concurrence being put on Clause 1 of the Bill, it was—
Resolved in the affirmative.

Clause 2 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 2 of the Bill, it was—
Resolved in the affirmative.

Clause 3 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 3 of the Bill, it was—
Resolved in the affirmative.

Clause 4 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 4 of the Bill, it was—
Resolved in the affirmative.

Clause 5 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 5 of the Bill, it was—
Resolved in the affirmative.

Clause 6 of the Bill was read.

The question of concurrence being put on clause 6 of the Bill, it was—
Resolved in the affirmative.

Clause 7 of the Bill was read.

The question of concurrence being put on clause 7 of the Bill, it was—
Resolved in the affirmative.

Clause 8 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 8 of the Bill, it was—
Resolved in the affirmative.

Clause 9 of the Bill was read.

The question of concurrence being put on clause 9 of the Bill, it was—
Resolved in the affirmative.

Clause 10 of the Bill was read.

The question of concurrence being put on clause 10 of the Bill, it was—
Resolved in the affirmative.

Clause 11 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 11 of the Bill, it was—
Resolved in the affirmative.

Clause 12 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 12 of the Bill, it was—
Resolved in the affirmative.

Clause 13 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 13 of the Bill, it was—
Resolved in the affirmative.

Clause 14 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 14 of the Bill, it was—

Resolved in the affirmative.

Clause 15 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 15 of the Bill, it was—

Resolved in the affirmative.

Clause 16 of the Bill was read.

The question of concurrence being put on clause 16 of the Bill, it was—

Resolved in the affirmative.

Clause 17 of the Bill was read.

The question of concurrence being put on clause 17 of the Bill, it was—

Resolved in the affirmative.

Clause 18 of the Bill was read.

The question of concurrence being put on clause 18 of the Bill, it was—

Resolved in the affirmative.

Clause 19 of the Bill was read.

The question of concurrence being put on clause 19 of the Bill, it was—

Resolved in the affirmative.

The Title of the Bill was again read.

The question of concurrence being put on the Title of the Bill, it was—

Resolved in the affirmative.

After some time, the sitting was resumed, and—

The Honourable Senator Macnaughton, P.C., from the Committee, reported that they had taken the Bill into consideration and had directed him to report the same to the Senate, without amendment.

With leave of the Senate,

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called for the third reading of the Bill C-75, intituled: "An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Press Release, dated December 18, 1975, concerning Notes on the Government's Expenditure Reductions.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That when the Senate adjourns today, it do stand adjourned until tomorrow, Saturday, 20th December, 1975, at twelve o'clock noon.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 148

Saturday, 20th December, 1975

12.00 o'clock noon

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Barrow,
Basha,
Bélisle,
Bourget,
Cameron,
Carter,
Choquette,

Côté,
Cottreau,
Denis,
Eudes,
Forsey,
Fournier
(*de Lanaudière*),

Fournier
(*Restigouche-
Gloucester*),
Graham,
Greene,
Grosart,
Inman,
Lafond,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McIlraith,
Michaud,
Molgat,

Norrie,
Perrault,
Petten,
Phillips,
Riley,
Robichaud,
Sparrow,
Stanbury,
Williams.

PRAYERS.

The Order of the Day being called for the third reading of the Bill C-75, intituled: "An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately two o'clock p.m., it was—

Resolved in the affirmative. 1.00 p.m.

The sitting of the Senate was resumed. 3.55 p.m.

A Message was brought from the House of Commons by their Clerk with a Bill C-69, intituled: "An Act to amend the Unemployment Insurance Act, 1971", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Molgat moved, seconded by the Honourable Senator Petten, that the Bill be read the second time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be committed to a Committee of the Whole presently.

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate was accordingly adjourned during pleasure and put into a Committee of the Whole on the Bill, the Honourable Senator Macnaughton, P.C., in the Chair.

—In the Committee—

Pursuant to Rule 18 of the Rules of the Senate, the Honourable Robert Andras, P.C., Minister of Manpower and Immigration, was escorted to a seat in the Senate Chamber.

The Title of the Bill was read and postponed.

Clause 1 of the Bill as read.

After debate,

The Honourable Senator Forsey moved, seconded by the Honourable Senator Macdonald, that clause 1 of the Bill be amended as follows:—

Strike out subclause (2).

After debate, and—

The question being put on the motion—

The Committee divided as follows—

Yeas 4 Nays 17

So it was resolved in the negative.

The question of concurrence being put on Clause 1 of the Bill, it was—

Resolved in the affirmative.

Clause 2 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 2 of the Bill, it was—

Resolved in the affirmative.

Clause 3 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 3 of the Bill, it was—

Resolved in the affirmative.

Clause 4 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 4 of the Bill, it was—

Resolved in the affirmative.

Clause 5 of the Bill was read.

The question of concurrence being put on clause 5 of the Bill, it was—

Resolved in the affirmative.

Clause 6 of the Bill was read.

After debate,

The Honourable Senator Forsey moved, seconded by the Honourable Senator Macdonald, that clause 6 of the Bill be deleted.

The question being put on the motion—

The Committee divided as follows—

Yeas 5 Nays 17

So it was resolved in the negative.

The question of concurrence being put on Clause 6 of the Bill, it was—

Resolved in the affirmative.

Clause 7 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 7 of the Bill, it was—

Resolved in the affirmative.

Clause 8 of the Bill was read.

The question of concurrence being put on clause 8 of the Bill, it was—

Resolved in the affirmative.

Clause 9 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 9 of the Bill, it was—

Resolved in the affirmative.

Clause 10 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 10 of the Bill, it was—

Resolved in the affirmative, on division.

Clause 11 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 11 of the Bill, it was—

Resolved in the affirmative.

Clause 12 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 12 of the Bill, it was—

Resolved in the affirmative.

Clause 13 of the Bill was read.

The question of concurrence being put on clause 13 of the Bill, it was—

Resolved in the affirmative.

Clause 14 of the Bill was read.

The question of concurrence being put on clause 14 of the Bill, it was—

Resolved in the affirmative.

Clause 15 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 15 of the Bill, it was—

Resolved in the affirmative.

Clause 16 of the Bill was read.

The question of concurrence being put on clause 16 of the Bill, it was—

Resolved in the affirmative.

Clause 17 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 17 of the Bill, it was—

Resolved in the affirmative.

Clause 18 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 18 of the Bill, it was—

Resolved in the affirmative.

Clause 19 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 19 of the Bill, it was—

Resolved in the affirmative.

Clause 20 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 20 of the Bill, it was—

Resolved in the affirmative.

Clause 21 of the Bill was read.

The question of concurrence being put on clause 21 of the Bill, it was—

Resolved in the affirmative.

Clause 22 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 22 of the Bill, it was—

Resolved in the affirmative.

Clause 23 of the Bill was read.

The question of concurrence being put on clause 23 of the Bill, it was—

Resolved in the affirmative.

Clause 24 of the Bill was read.

The question of concurrence being put on clause 24 of the Bill, it was—

Resolved in the affirmative.

Clause 25 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 25 of the Bill, it was—

Resolved in the affirmative.

Clause 26 of the Bill was read.

The question of concurrence being put on clause 26 of the Bill, it was—

Resolved in the affirmative.

Clause 27 of the Bill was read.

The question of concurrence being put on clause 27 of the Bill, it was—

Resolved in the affirmative.

Clause 28 of the Bill was read.

The question of concurrence being put on clause 28 of the Bill, it was—

Resolved in the affirmative.

Clause 29 of the Bill was read.

The question of concurrence being put on clause 29 of the Bill, it was—

Resolved in the affirmative.

Clause 30 of the Bill was read.

The question of concurrence being put on clause 30 of the Bill, it was—

Resolved in the affirmative.

Clause 31 of the Bill was read.

The question of concurrence being put on clause 31 of the Bill, it was—

Resolved in the affirmative.

Clause 32 of the Bill was read.

The question of concurrence being put on clause 32 of the Bill, it was—

Resolved in the affirmative.

Clause 33 of the Bill was read.

The question of concurrence being put on clause 33 of the Bill, it was—

Resolved in the affirmative.

Clause 34 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 34 of the Bill, it was—

Resolved in the affirmative.

Clause 35 of the Bill was read.

The question of concurrence being put on clause 35 of the Bill, it was—

Resolved in the affirmative.

Clause 36 of the Bill was read.

The question of concurrence being put on clause 36 of the Bill, it was—

Resolved in the affirmative.

Clause 37 of the Bill was read.

The question of concurrence being put on clause 37 of the Bill, it was—

Resolved in the affirmative.

Clause 38 of the Bill was read.

The question of concurrence being put on clause 38 of the Bill, it was—

Resolved in the affirmative.

The Title of the Bill was again read.

The question of concurrence being put on the Title of the Bill, it was—

Resolved in the affirmative.

After some time, the sitting was resumed, and—

The Honourable Senator Macnaughton, P.C., from the Committee, reported that they had taken the Bill into consideration and had directed him to report the same to the Senate, without amendment, on division.

With leave of the Senate,

The Honourable Senator Molgat moved, seconded by the Honourable Senator Petten, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

Pursuant to Order, the Honourable Senator Barrow moved, seconded by the Honourable Senator Riley, that the Bill C-75, intituled: "An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

A Message was brought from the House of Commons by their Clerk with a Bill C-52, intituled: "An Act to amend the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Superannuation Act, the Royal Canadian Mounted Police Pension Continuation Act, the Diplomatic Service (Special) Superannuation Act, the Members of Parliament Retiring Allowances Act, the Governor General's Retiring Annuity Act, the Judges Act, the Tax Review Board Act and the Supplementary Retirement Benefits Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Stanbury moved, seconded by the Honourable Senator Robichaud, P.C., that the Bill be read a second time later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately seven o'clock p.m., it was—

Resolved in the affirmative.

6.45 p.m.

The sitting of the Senate was resumed.

7.10 p.m.

Pursuant to Order, the Honourable Senator Stanbury moved, seconded by the Honourable Senator Cottreau, that the Bill C-52, intituled: "An Act to amend the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Superannuation Act, the Royal Canadian Mounted Police Pension Continuation Act, the Diplomatic Service (Special) Superannuation Act, the Members of Parliament Retiring Allowances Act, the Governor General's Retiring Annuity Act, the Judges Act, the Tax Review Board Act and the Supplementary Retirement Benefits Act", be read the second time.

After debate, and—

The question being put on the motion, it was—

Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Stanbury moved, seconded by the Honourable Senator Robichaud, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The Communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

DECEMBER, 20, 1975.

Madam,

I have the honour to inform you that the Honourable Wishart F. Spence, O.B.E., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the

20th day of December at 8 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE
Administrative Secretary to the Governor General

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

*With leave,
The Senate reverted to Notices of Motions.*

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday, 3rd February, 1976, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eight o'clock p.m., it was—

Resolved in the affirmative. 7.55 p.m.

The sitting of the Senate was resumed. 8.10 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General, that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to provide supplementary borrowing authority for public works and general purposes

An Act to amend the Unemployment Insurance Act, 1971

An Act to amend the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Superannuation Act, the Royal Canadian Mounted Police Pension Continuation Act, the Diplomatic Service (Special) Superannuation Act, the Members of Parliament Retiring Allowances Act, the Governor General's Retiring Annuity Act, the Judges Act, the Tax Review Board Act and the Supplementary Retirement Benefits Act

An Act to amend the National Housing Act and the Central Mortgage and Housing Corporation Act

An Act to increase the rate of return on Government Annuity contracts, to increase their flexibility and to discontinue future sales thereof

An Act to amend the Regional Development Incentives Act

An Act to amend the Agricultural Products Cooperative Marketing Act

An Act to amend the Animal Contagious Diseases Act

An Act to enable The Eastern Canada Savings and Loan Company and Central & Nova Scotia Trust Company to amalgamate

An Act to incorporate the Northland Bank.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 149

Tuesday, 3rd February, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,
Barrow,
Basha,
Beaubien,
Bell,
Blois,
Carter,
Connolly
(*Ottawa West*),
Cook,
Côté,
Cottreau,
Croll,
Davey,

Denis,
Desruisseaux,
Duggan,
Everett,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),
Giguère,
Goldenberg,

Graham,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Lafond,
Laird,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Manning,

McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Norrie,
Paterson,
Perrault,
Petten,
Quart,

Riel,
Riley,
Robichaud,
Rowe,
Smith
(*Colchester*),
Smith
(*Queens-
Shelburne*),
Sparrow,
Stanbury,
Walker,
Yuzyk.

PRAYERS.

Tribute was paid to the memory of the Honourable Louis P. Gélinas who resigned from the Senate December 10, 1975, and whose death occurred January 1, 1976.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, January 29, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Balfour has been substituted for that of Mr. Baldwin on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-78, intituled: "An Act to repeal An Act respecting the Halifax Relief Commission and to authorize the continuation of pensions, grants or allowances paid by the Halifax Relief Commission", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Norrie moved, seconded by the Honourable Senator Rowe, that the Bill be read a second time later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-41, intituled: "An Act respecting the stabilization of net proceeds from the production and sale of western grain and to amend certain statutes in consequence thereof", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 5th February, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Superintendent of Insurance for Canada on Trust and Loan Companies for the year ended December 31, 1974, pursuant to section 8 of the *Department of Insurance Act*, Chapter I-17, R.S.C., 1970.

Report on the administration of Allowances for Blind Persons in Canada for the fiscal year ended March 31, 1975, pursuant to section 12 of the *Blind Persons Act*, Chapter B-7, R.S.C., 1970.

Report on the administration of Old Age Assistance in Canada for the fiscal year ended March 31, 1975, pursuant to section 12 of the *Old Age Assistance Act*, Chapter O-5, R.S.C., 1970.

Report on Vocational Rehabilitation for the fiscal year ended March 31, 1975, pursuant to section 8 of the *Vocational Rehabilitation of Disabled Persons Act*, Chapter V-7, R.S.C., 1970.

Report on the administration of Allowances for Disabled Persons in Canada for the fiscal year ended March 31, 1975, pursuant to section 12 of the *Disabled Persons Act*, Chapter D-6, R.S.C., 1970.

Report respecting operations under the *Health Resources Fund Act* for the fiscal year ended March 31, 1975, pursuant to section 13 of the said Act, Chapter H-4, R.S.C., 1970.

Report of the Canada Council, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 23 of the *Canada Council Act*, Chapter C-2, R.S.C., 1970.

Annual Report to the Governments of the United States and Canada by the Columbia River Treaty Permanent Engineering Board for the period October 1, 1974 to September 30, 1975. (English text)

Report of the Department of Consumer and Corporate Affairs for the fiscal year ended March 31, 1975, pursuant to section 10 of the *Department of Consumer and Corporate Affairs Act*, Chapter C-27, R.S.C., 1970.

Report of the Canada Post Office for the fiscal year ended March 31, 1975, pursuant to section 80(2) of the *Post Office Act*, Chapter P-14, R.S.C., 1970.

Report relating to matters transacted by the Registrar General of Canada as Registrar under the *Trade Unions Act* during the year ended December 31, 1975, pursuant to section 30 of the said Act, Chapter T-11, R.S.C., 1970.

Capital Budget of Central Mortgage and Housing Corporation for the year ending December 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, as approved by Order in Council P.C. 1975-3069, dated December 30, 1975.

Report of the Commission of Inquiry relating to the Department of Manpower and Immigration in Montreal, dated January 1976 (The Honourable Claire L'Heureux-Dubé—Commissioner).

Report of Statistics Canada for the fiscal year ended March 31, 1974, pursuant to section 4(3) of the *Statistics Act*, Chapter 15, Statutes of Canada, 1970-71-72.

Report on operations under the *Clean Air Act* for the fiscal year ended March 31, 1975, pursuant to section 41 of the said Act, Chapter 47, Statutes of Canada, 1970-71-72.

Report of the Department of the Environment for the fiscal year ended March 31, 1975, pursuant to section 7 of the *Department of the Environment Act*, Part I of Chapter 42, Statutes of Canada, 1970-71-72.

Report of the Department of Indian Affairs and Northern Development for the fiscal year ended March 31, 1975, pursuant to section 7 of the *Department of Indian Affairs and Northern Development Act*, Chapter I-7, R.S.C., 1970.

Report of the President and Statement of Accounts of the Industrial Development Bank for the fiscal year ended September 30, 1975, pursuant to section 30(4) of the *Industrial Development Bank Act*, Chapter I-9, R.S.C., 1970.

Report of the Superintendent of Insurance on the administration of the *Investment Companies Act*, for the fiscal year ended March 31, 1975, pursuant to section 27(1) of the said Act, Chapter 33, Statutes of Canada, 1970-71-72.

Report of the Department of Manpower and Immigration for the fiscal year ended March 31, 1975, pursuant to section 5 of the *Department of Manpower and Immigration Act*, Chapter M-1, R.S.C., 1970.

Reports on operations under the *Regional Development Incentives Act* for the months of July and August, 1975, pursuant to section 16 of the said Act, Chapter R-3, R.S.C. 1970.

Report of the Department of Supply and Services, including its accounts and financial statements certified by

the Auditor General, for the fiscal year ended March 31, 1975, pursuant to section 12 of the *Department of Supply and Services Act*, Chapter S-18, R.S.C., 1970.

Copies of documents entitled "Directive for the Guidance of the Canadian Transport Commission on Rail Passenger Services", "Canadian Passenger Rail Services", "Technology and Productivity in Passenger Transportation" and "A Canadian Rail Passenger Program", together with a Statement by the Minister of Transport and a Press Release thereon.

Report of the Ministry of State for Urban Affairs for the fiscal year ended March 31, 1975, pursuant to section 22 of the *Ministries and Ministers of State Act*, Part IV of Chapter 42, Statutes of Canada, 1970-71-72.

Copies of Agreement between the Government of Canada and the Government of the Argentine Republic for Co-operation in the Development and Application of Atomic Energy for Peaceful Purposes, together with a statement thereon by the Secretary of State for External Affairs. Signed at Buenos Aires on January 30, 1976. In force January 30, 1976.

Copies of Agreement between the Government of Canada and the Government of the Republic of Korea for Co-operation in the Development and Application of Atomic Energy for Peaceful Purposes, together with a Statement thereon by the Secretary of State for External Affairs. Done at Seoul on January 26, 1976. In force January 26, 1976.

Copies of a Background Paper on Nuclear Safeguards and Canadian Safeguards Policy with respect to nuclear power.

Copies of extracts from a document entitled "Safe-guards" published by the International Atomic Energy Agency.

Copies of Report on the Study of the Accounts of Canada, dated October 7, 1975.

Copies of Report from the Anti-Inflation Board of its reference to the Administrator of the *Anti-Inflation Act* of a possible contravention of the Regulations by Irving Pulp and Paper Limited.

Reports of the Department of Veterans Affairs and of the Canadian Pension Commission for the fiscal year ended March 31, 1975, pursuant to section 8 of the *Department of Veterans Affairs Act*, Chapter V-1, and section 4(2) of the *Pension Act*, Chapter P-7, R.S.C., 1970, including reports of the Pension Review Board, the War Veterans Allowance Board and the Bureau of Pensions Advocates for the same period.

Report of the Textile and Clothing Board, dated November 27, 1975, on an inquiry respecting hosiery.

Report of the Textile and Clothing Board, dated August 8, 1975, on an inquiry respecting work gloves.

Report of the Law Reform Commission of Canada entitled "Evidence", dated December 1975, pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970.

The Honourable Senator Perrault, P.C., for the Honourable Senator van Roggen, from the Standing Senate Committee on Foreign Affairs which was authorized to examine and report upon Canadian relations with the United States, tabled a Report of the said Committee entitled: "Canada-United States Relations—Volume 1—The Institutional Framework for the Relationship".

The Honourable Senator Perrault, P.C., for the Honourable Senator van Roggen moved, seconded by the Honourable Senator Langlois, that the Report be placed on the Orders of the Day for consideration on Wednesday, 11th February, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator McDonald:

That the name of the Honourable Senator Cook be substituted for that of the Honourable Senator Smith (*Queens-Shelburne*) on the list of Senators serving on the Special Joint Committee on Employer-Employee Relations in the Public Service; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to Order, the Honourable Senator Norrie moved, seconded by the Honourable Senator Rowe, that the Bill C-78, intituled: "An Act to repeal An Act respecting the Halifax Relief Commission and to authorize the continuation of pensions, grants or allowances paid by the Halifax Relief Commission", be read the second time.

After debate,

The Honourable Senator Smith (*Colchester*) moved, seconded by the Honourable Senator Quart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robi-

chaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until Wednesday, 18th February, 1976.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois:

That a special committee of the Senate be appointed to examine and report upon the privileges and immunities that apply to members of the Senate within the precincts of the Senate, and the powers of the Speaker in respect thereof.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene,

P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 150

Wednesday, 4th February, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bell,
Blois,
Buckwold,
Cameron,
Carter,
Connolly
(Ottawa West),
Cook,
Côté,
Cottreau,

Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Giguère,

Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,

Macdonald,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,
Paterson,
Perrault,

Petten,
Quart,
Riel,
Riley,
Robichaud,
Rowe,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Sparrow,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of text of Joint Communiqué issued by President Echeverria and Prime Minister Trudeau on January 25, 1976, in Mexico City.

Copies of text of Joint Communiqué signed by Prime Minister Castro and Prime Minister Trudeau in Havana, January 29, 1976.

Copies of Joint Communiqué issued by President Pérez and Prime Minister Trudeau following the visit by the Prime Minister of Canada to Venezuela, January 29 to February 2, 1976.

With leave of the Senate,

The Honourable Senator Molson moved, seconded by the Honourable Senator Desruisseaux:

That the Order of the Senate of December 8, 1975, that the amendments to the Rules of the Senate contained in the Report of the Standing Committee on Standing Rules and Orders, dated October 29, 1975, and adopted by the Senate on November 26, 1975, shall come into force on the first day of the Second Session of the Thirtieth Parliament, be rescinded; and

That the said amendments shall come into force on March 1, 1976.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Norrie, seconded by the Honourable Senator Rowe, for the second reading of the Bill C-78, intituled: "An Act to repeal An Act respecting the Halifax Relief Commission and to authorize the continuation of pensions, grants or allowances paid by the Halifax Relief Commission".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Norrie moved, seconded by the Honourable Senator Neiman, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable

Senator Smith (*Queens-Shelburne*), that the Bill C-41, intituled: "An Act respecting the stabilization of net proceeds from the production and sale of western grain and to amend certain statutes in consequence thereof", be read the second time.

After debate,

The Honourable Senator Yuzyk moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion, in amendment, of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, to the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois:

That a special committee of the Senate be appointed to examine and report upon the privileges and immunities that apply to members of the Senate within the precincts of the Senate, and the powers of the Speaker in respect thereof.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator McDonald calling the attention of the Senate to the Twenty-first Annual Session of the North Atlantic Assembly, held in Copenhagen, Denmark, from 21st to 26th September, 1975, and in particular to the discussions and proceedings of the Session and the participation therein of the delegation from Canada.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of

the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 151

Thursday, 5th February, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,
Basha,
Beaubien,
Bélisle,
Bell,
Blois,
Buckwold,
Cameron,
Carter,
Connolly
(Ottawa West),
Cook,
Côté,
Cottreau,

Croll,
Davey,
Denis,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Lafond,
Laird,
Lamontagne,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,

Perrault,
Petten,
Quart,
Robichaud,
Rowe,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Sparrow,
Stanbury,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Freshwater Fish Marketing Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended April 30, 1975, pursuant to section 33 of the *Freshwater Fish Marketing Act*, Chapter F-13, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of contracts between the Government of Canada and the Municipalities of Parkdale and Sherwood, Prince Edward Island, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970. (English text).

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 10th February, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Norrie moved, seconded by the Honourable Senator Rowe, that the Bill C-78, intituled: "An Act to repeal An Act respecting the Halifax Relief Commission and to authorize the continuation of pensions, grants or allowances paid by the Halifax Relief Commission", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Smith (*Queens-Shelburne*), for the second reading of the Bill C-41, intituled: "An Act respecting the stabilization of net proceeds from the production and sale of western grain and to amend certain statutes in consequence thereof",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act", be read the second time.

After debate,

The Honourable Senator Flynn, P.C. moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Eudes, for the second reading of the Bill S-21, intituled: "An Act to amend the Criminal Code (commutation of death sentence)", and—

On the motion in amendment thereto of the Honourable Senator Neiman, seconded by the Honourable Senator Norrie, that the Bill be not now read the second time but that the subject-matter thereof be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

After debate,

With leave of the Senate, and—

On motion of the Honourable Senator Robichaud, P.C., the Order was discharged and the Bill withdrawn.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Perrault, P.C., resumed the debate on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois:

That a special committee of the Senate be appointed to examine and report upon the privileges and immunities that apply to members of the Senate within the precincts of the Senate, and the powers of the Speaker in respect thereof.

After debate,

With leave of the Senate,

On motion of the Honourable Senator Perrault, P.C., the Order was discharged and the motion withdrawn.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 152

Tuesday, 10th February, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bell,
Bonnell,
Bourget,
Buckwold,
Burchill,
Carter,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,

Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Giguère,
Goldenberg,
Graham,
Haig,
Hastings,
Hayden,
Lafond,
Laird,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,

Molson,
Norrie,
Paterson,
Petten,
Riel,
Riley,
Robichaud,
Rowe,
Smith
(Queens-
Shelburne),
van Roggen,
Yuzyk.

PRAYERS.

A message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, February 4, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Baldwin has been substituted for that of Mr. Balfour on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Langlois laid on the Table the following:—

Copies of Statement made by the Secretary of State for External Affairs to the House of Commons on February 5, 1976, on the Conference on International Economic Co-operation.

Copies of Order in Council P.C. 1976-139, dated January 17, 1976, amending Schedule I to the *Canada Grain Act*, effective October 1, 1976, pursuant to section 15(6) of the said Act, Chapter 7, Statutes of Canada, 1970-71-72.

Statement of the Chartered Banks of Canada showing Revenue, Expenses and Other Information for the fiscal year ended October 31, 1975, pursuant to section 119(1) of the *Bank Act*, Chapter B-1, R.S.C., 1970.

Copies of Report, dated January 1976, of the Law Reform Commission of Canada entitled "Disposition and Sentences in the Criminal Process—Guidelines", pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970, together with explanatory notes.

Copies of document entitled "Local Initiatives Program 1975/76—The Allocation Process", issued by the Department of Manpower and Immigration.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Smith (*Queens-Shelburne*), for the second reading of the Bill C-41, intituled: "An Act respecting the stabilization of net proceeds from the production and sale of western grain and to amend certain statutes in consequence thereof".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Molgat, that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Desruisseaux called the attention of the Senate to the question of total free trade as an economic consideration for Canada.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Langlois, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 153

Wednesday, 11th February, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bell,
Bonnell,
Bourget,
Buckwold,
Burchill,
Carter,
Connolly
(*Ottawa West*),
Cook,

Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),

Fournier
(*Restigouche-
Gloucester*),
Giguère,
Godfrey,
Goldenberg,
Graham,
Haig,
Hastings,
Hayden,
Lafond,
Laird,
Lamontagne,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,
Paterson,

Petten,
Phillips,
Quart,
Riel,
Riley,
Rowe,
Smith
(*Colchester*),
Smith (*Queens-
Shelburne*),
van Roggen,
Walker,
Yuzyk.

PRAYERS.

With leave of the Senate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Langlois:

That the name of the Honourable Senator Riley be substituted for that of the Honourable Senator Robichaud on the list of Senators serving on the Standing Joint Committee on Regulations and other Statutory Instruments; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act".

After debate,

The Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing

Senate Committee on Foreign Affairs, entitled: "Canada—United States Relations—Volume 1—The Institutional Framework for the Relationship".

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Michaud called the attention of the Senate to certain economic conditions existing in the Province of New Brunswick.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Fournier (*de Lanaudière*),

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 154

Thursday, 12th February, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Barrow,
Basha,
Beaubien,
Bélisle,
Bonnell,
Bourget,
Buckwold,
Burchill,
Carter,
Connolly
(*Ottawa West*),
Cook,
Côté,

Cottreau,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),

Giguère,
Godfrey,
Goldenberg,
Haig,
Hayden,
Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,

Macnaughton,
Manning,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,
Petten,

Phillips,
Quart,
Riel,
Riley,
Robichaud,
Rowe,
Smith
(*Colchester*),
Smith (*Queens-
Shelburne*),
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Langlois laid on the Table the following:—

Copies of Report of the Study Group on Dissociation, dated December 24, 1975 (Mr. James A. Vantour, Chairman), published under the authority of the Solicitor General of Canada.

The Honourable Senator Michaud, Deputy Chairman, from the Standing Senate Committee on Agriculture to which was referred the Bill C-41, intituled: "An Act respecting the stabilization of net proceeds from the production and sale of western grain and to amend certain statutes in consequence thereof", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 17th February, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud

calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator McDonald, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until Tuesday, 2nd March, 1976.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 155

Tuesday, 17th February, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Croll,
Austin,	Davey,
Barrow,	Denis,
Basha,	Desruisseaux,
Beaubien,	Duggan,
Bélisle,	Eudes,
Bonnell,	Everett,
Bourget,	Flynn,
Cameron,	Forsey,
Carter,	Fournier
Cook,	(Restigouche-
Côté,	Gloucester),
Cottreau,	

Giguère,
Godfrey,
Goldenberg,
Graham,
Haig,
Hayden,
Hays,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,

Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,

Norrie,
Paterson,
Perrault,
Petten,
Phillips,
Quart,
Riley,
Rowe,
Smith
(Queens-
Shelburne),
Walker,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, February 11, 1976

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Balfour has been substituted for that of Mr. Fairweather on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, February 12, 1976

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Flynn has been substituted for that of Mr. Langlois on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Reports on operations under the *Regional Development Incentives Act* for the months of September and October, 1975, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Copies of Report relating to warrants issued under the *Official Secrets Act* for the year ended December 31, 1975, pursuant to section 16(5) of the said Act, as amended by Chapter 50, Statutes of Canada, 1973-74.

Copies of Report relating to authorizations and interceptions under the *Criminal Code* for the year ended December 31, 1975, pursuant to section 178.22(4) of the Code, as amended by Chapter 50, Statutes of Canada, 1973-74.

Copies of document setting forth Guidelines concerning acquisitions of interests in oil and gas rights, dated January 5, 1976, pursuant to section 4(2) of the *Foreign Investment Review Act*, Chapter 46, Statutes of Canada, 1973-74.

Report of operations under the *International River Improvements Act* for the year ended December 31, 1975, pursuant to section 10 of the said Act, Chapter I-22, R.S.C., 1970.

Copies of Order of the Administrator under the *Anti-Inflation Act*, dated February 12, 1976, respecting the Irving Pulp and Paper Agreement, pursuant to section 17(3) of the said Act, Chapter 75, Statutes of Canada, 1974-75-76, together with copies of press release relating thereto.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-31, intituled: "An Act to amend the Quarantine Act".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 19th February, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Molgat, that the Bill C-41, intituled: "An Act respecting the stabilization of net proceeds from the production and sale of western grain and to amend certain statutes in consequence thereof", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this bill without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act".

After debate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Croll, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux

calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Wednesday, 25th February, 1976.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 156

Wednesday, 18th February, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Blois,
Bonnell,
Bourget,
Cameron,
Carter,
Connolly
(Ottawa West),
Cook,

Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(Restigouche-
Gloucester),
Giguère,

Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hayden,
Hays,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,

Lefrançois,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Neiman,
Norrie,
Paterson,

Perrault,
Petten,
Phillips,
Riley,
Rowe,
Smith
(Colchester),
Smith (Queens-
Shelburne),
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of operations under the *Municipal Improvements Assistance Act* for the year ended December 31, 1975, pursuant to section 11 of the said Act, Chapter M-16, R.S.C., 1970.

Copies of Order in Council P.C. 1976-187, dated February 3, 1976, amending Part II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until Tuesday, 2nd March, 1976.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 157

Thursday, 19th February, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bonnell,
Bourget,
Cameron,
Carter,
Connolly
(Ottawa West),
Cook,

Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Eudes,
Flynn,
Forsey,
Fournier
(Restigouche-
Gloucester),
Giguère,

Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,
Lawson,

Lefrançois,
Macdonald,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Neiman,
Norrie,
Paterson,
Perrault,

Petten,
Phillips,
Quart,
Riley,
Rowe,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Estimates for the fiscal year ending March 31, 1977, together with copies of a news release containing a statement by the President of the Treasury Board on the said Estimates.

The Honourable Senator Perrault, P.C., presented to the Senate a Bill S-32, intituled: "An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel".

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Tuesday next, 24th February, 1976

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending the 31st March, 1977, in advance of bills based upon the said Estimates reaching the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 24th February, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator McGrand moved, seconded by the Honourable Senator Basha, that the Bill S-31, intituled: "An Act to amend the Quarantine Act", be read the second time.

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Bélisle, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 158

Tuesday, 24th February, 1976

8.00 o'clock p.m.

The Honourable JEAN-PAUL DESCHATELETS, P.C.,
Speaker *pro tem*.

The Members convened were:

The Honourable Senators

Austin,	Cook,	Giguère,	Macdonald,	Robichaud,
Barrow,	Côté,	Godfrey,	Macnaughton,	Smith
Basha,	Cottreau,	Goldenberg,	McDonald,	(Colchester),
Beaubien,	Croll,	Grosart,	McElman,	Smith
Bell,	Denis,	Haig,	McGrand,	(Queens-
Benidickson,	Deschatelets,	Hastings,	McNamara,	Shelburne),
Bonnell,	Desruisseaux,	Hayden,	Michaud,	Sparrow,
Burchill,	Duggan,	Lafond,	Neiman,	Stanbury,
Cameron,	Everett,	Laird,	Paterson,	van Roggen,
Carter,	Fournier	Lang,	Petten,	Walker,
Connolly	(Restigouche-	Langlois,	Phillips,	Williams,
(Ottawa West),	Gloucester),	Lefrançois,	Riley,	Yuzyk.

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Langlois, moved, seconded by the Honourable Senator Grosart:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Deschatelets, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator Deschatelets, P.C., took the Chair.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, February 19, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Daudlin has been substituted for that of Mr. Flynn on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Langlois laid on the Table the following:—

Report of the Export Development Corporation, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report on Radon levels at St. Mary's School, Port Hope, Ontario, issued by the Department of Energy, Mines and Resources and dated December 22, 1975.

Documents issued by the Department of Energy, Mines and Resources on February 19, 1976 entitled "Radioactive Waste Locations in Canada" and "Progress Report on Radioactive Waste Investigation in Port Hope, Ontario", with annex of Atomic Energy Control Board's memorandum to the latter.

Copies of Rules respecting appeals to the Anti-Inflation Appeal Tribunal under the *Anti-Inflation Act*, made by the Chairman of the said Tribunal on February 19, 1976, pursuant to section 27(2) of the said Act, Chapter 75, Statutes of Canada, 1974-75-76.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

TUESDAY, February 24, 1976

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade and Commerce, for the proposed expenditures of the said Committee, with respect to its examination and report upon the subject-matter of the Bill C-60, intituled: "An Act respecting bankruptcy and insolvency", in advance of the said Bill coming before the Senate, or any matter relating thereto, authorized by the Senate on the 13th May, 1975. The said supplementary budget is as follows:

Professional and Special Services \$7,500

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

TUESDAY, February 24, 1976

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Standing Committee on Foreign Affairs for the proposed expenses of the said Committee on Foreign Affairs respecting its examination of Canadian relations with the United States, as authorized by the Senate on 6th November, 1974. The said supplementary budget is as follows:

Professional and Special Services	\$17,000
Transportation and Communications	600
Information—Printing	70,000
All Other Expenditures	500
	<hr/>
	\$88,100

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

TUESDAY, February 24, 1976

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman

of the Standing Committee on National Finance for the proposed expenditures of the said Committee on National Finance with regard to its examination and consideration of such legislation and other matters as may be referred to it, authorized by the Senate on 5th December, 1974. The said supplementary budget is as follows:

Professional and Special Services \$9,340

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration presented the following Report:—

TUESDAY, February 24, 1976

The Standing Committee on Internal Economy, Budgets and Administration, to which was referred on May 21, 1975, the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", reports that it has examined the subject-matter of the said motion and now reports as follows:

1. Your Committee is of the opinion that, instead of regulations that would require higher monetary deductions for non-attendance of Senators at sittings of the Senate, the matter of attendance can be more effectively dealt with through administrative measures that would require a more precise determination of the days, referred to in subsection 37(2) of the *Senate and House of Commons Act*, that can be reckoned during each session as days of attendance at that session.

2. Your Committee recommends that a Senator, when certifying his or her absences from sittings of the Senate for reasons of public or official business include in such certifications the nature of the public or official business, and the date and location where such public or official business was performed.

3. Your Committee also recommends that the review of all certifications of absence on public or official business be the responsibility of your Committee.

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird moved, seconded by the Honourable Senator Petten, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Haig moved, seconded by the Honourable Senator Beaubien:

That the Parliamentary fees paid on a proposed Bill respecting Honey Bear Brewing Corporation Limited, of the City of Winnipeg, in the Province of Manitoba, be refunded to the petitioners, less the sum of \$65.00 for printing and translation costs.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Basha, for the second reading of the Bill S-31, intituled: "An Act to amend the Quarantine Act".

After debate,

The Honourable Senator McGrand moved, seconded by the Honourable Senator Duggan, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the second reading of the Bill S-32, intituled: "An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux

calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 159

Wednesday, 25th February, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,
Barrow,
Basha,
Beaubien,
Bell,
Benidickson,
Bonnell,
Bourget,
Burchill,
Cameron,
Carter,
Connolly
(*Ottawa West*),
Cook,
Côté,

Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Everett,
Flynn,
Fournier
(*de Lanaudière*),
Fournier
(*Restigouche-
Gloucester*),

Giguère,
Godfrey,
Goldenberg,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,

Lawson,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McNamara,
Michaud,
Molgat,
Neiman,
Paterson,
Petten,
Phillips,

Quart,
Riel,
Riley,
Robichaud,
Smith
(*Colchester*),
Smith (*Queens-
Shelburne*),
Sparrow,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

FEBRUARY 25, 1976

Madam,

I have the honour to inform you that the Hon. Jean Beetz, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 25th day of February at 5.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,

Madam,

Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE,
Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McGrand, seconded by the Honourable Senator Basha, for the second reading of the Bill S-31, intituled: "An Act to amend the Quarantine Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McGrand moved, seconded by the Honourable Senator Basha, that the Bill be referred to the Standing Senate Committee on Health, Welfare and Science.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Lang moved, seconded by the Honourable Senator Giguère, that the Bill S-32, intituled: "An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting the attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance".

The Honourable Senator Laird moved, seconded by the Honourable Senator Petten, that the Report be adopted now.

After debate,

The Honourable Senator Côté moved, seconded by the Honourable Senator Robichaud, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the Final Act of the Helsinki Conference on Security and Co-operation in Europe.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 2.50 p.m.

The sitting of the Senate was resumed. 5.45 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile the Honourable Jean Beetz, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Honourable the Speaker said—

"Honourable Members of the Senate:

Members of the House of Commons:

I have the honour to inform you that His Excellency the Governor General has been pleased to cause Letters Patent to be issued under His Sign Manual and Signet constituting the Honourable Jean Beetz, Puisne Judge of the Supreme Court of Canada, his Deputy, to do in His Excellency's name all acts on his part necessary to be done during His Excellency's pleasure."

The said Commission was then read by the Clerk Assistant as follows:—

CANADA

JULES LÉGER
(G.S.)

BY HIS EXCELLENCY the Right Honourable JULES LÉGER, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Governor General and Commander-in-Chief of Canada.

TO THE HONOURABLE JEAN BEETZ, a Puisne Judge of the Supreme Court of Canada,

GREETING:

KNOW YOU that being well assured of your loyalty, fidelity and capacity, I, the Right Honourable Jules Léger, Governor General of Canada, under and by virtue of and in pursuance of the power and authority vested in me by the Commission of Her Majesty Queen Elizabeth II, under the Great Seal of Canada, dated October 5, 1973, constituting and appointing me to be Governor General of Canada do hereby nominate, constitute and appoint you the said Jean Beetz, to be my Deputy within Canada and in that capacity to exercise, subject to any limitations or directions from time to time expressed or given by Her Majesty, all the powers, authorities and functions vested in and of right exercisable by me as Governor General, saving and excepting the power of dissolving the Parliament of Canada.

PROVIDED ALWAYS that the appointment of my said Deputy shall not affect the exercise of any such power, authority or function by me, the said the Right Honourable Jules Léger, in person.

AND PROVIDED ALWAYS, that you the said Jean Beetz, shall, during your continuance as my Deputy obey all such orders and instructions as you shall from time to time receive from me.

GIVEN under by hand and seal at Ottawa, this fourteenth day of January in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-second year of Her Majesty's Reign.

BY COMMAND,

P. M. PITFIELD,
Deputy Registrar General of Canada.

Ordered, That the commission be placed upon the Journals.

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act respecting the stabilization of net proceeds from the production and sale of western grain and to amend certain statutes in consequence thereof

An Act to repeal An Act respecting the Halifax Relief Commission and to authorize the continuation of pensions, grants or allowances paid by the Halifax Relief Commission.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate resumed.

A Message was brought from the House of Commons by their Clerk with a Bill C-58, intituled: "An Act to amend the Income Tax Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Petten moved, seconded by the Honourable Senator Carter, that the Bill be placed

on the Orders of the Day for a second reading on Tuesday next, 2nd March, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Petten moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*),

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 160

Thursday, 26th February, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,	Côté,	Fournier	Lamontagne,	Molgat,
Barrow,	Cottreau,	(<i>Restigouche-</i>	Lang,	Norrie,
Basha,	Croll,	<i>Gloucester</i>),	Langlois,	Petten,
Beaubien,	Davey,	Giguère,	Lapointe,	Quart,
Bell,	Denis,	Godfrey,	Lawson,	Riley,
Benidickson,	Deschatelets,	Goldenberg,	Lefrançois,	Robichaud,
Bonnell,	Desruisseaux,	Grosart,	Macdonald,	Smith (<i>Queens-</i>
Bourget,	Duggan,	Haig,	Macnaughton,	<i>Shelburne</i>),
Burchill,	Everett,	Hastings,	McDonald,	Sparrow,
Cameron,	Flynn,	Hayden,	McElman,	Stanbury,
Carter,	Forsey,	Hays,	McGrand,	van Roggen,
Connolly	Fournier	Lafond,	McNamara,	Walker,
(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Laird,	Michaud,	Yuzyk.
Cook,				

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, February 24, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Colenette and Marceau have been substituted for those of Messrs. Blais and Francis on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The Honourable Senator Goldenberg for the Honourable Senator Buckwold from the Special Joint Committee of the Senate and House of Commons on Employer-Employee Relations in the Public Service, tabled the Sixth Report of the said Special Joint Committee.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 735-748).

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 2nd March, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Giguère, for the second reading of the Bill S-32, intituled: "An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Lang moved, seconded by the Honourable Senator Everett, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Tuesday, 16th March, 1976.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 734)

In accordance with its Order of Reference of the House of Commons of Tuesday, October 22, 1974 and of the Senate of October 23, 1974 a Special Joint Committee of the Senate and the House of Commons considered Parts I, II and III of the documents entitled *Employer-Employee Relations in the Public Service of Canada*, prepared by Mr. Jacob Finkelman, Q.C., Chairman of the Public Service Staff Relations Board. This Joint Committee was duly organized Wednesday, November 13, 1974 and held forty public meetings between that date and Thursday, June 19, 1975. Thirty-one briefs, including two reports by Mr. Finkelman entitled *Supplementary Observations and Recommendations*, have been received and considered by your Committee. A variety of interested parties have participated, including: bargaining agents representing employees in the Public Service of Canada; unions representing views outside the Public Service of Canada; the Treasury Board Secretariat representing the Government as employer; employer groups in the private sector; the Chairman of the Public Service Staff Relations Board and the Chairman of the Public Service Commission; personnel and labour relations specialists; university professors; and interested individuals.

THE INTERIM REPORT

In the course of these hearings, your Committee was persuaded by the evidence of several witnesses, and especially by that of Mr. Finkelman, that the Public Service Staff Relations Board was not properly constituted to carry the burden of the various responsibilities placed on it by the Act and that the capacity of the Public Service Staff Relations Board to handle its work load effectively and expeditiously was seriously constrained by its part-time membership. To mitigate these pressing administrative and operational difficulties, your Committee prepared an Interim Report and in it recommended the consolidation of the several functions of the Public Service Staff Relations Board. Your Committee recommended as well that members of the Public Service Staff Relations Board be able to sit in panels, and that sufficient full-time members be appointed to enable the Public Service Staff Relations Board to handle the matters referred to it with dispatch. This Report was laid before the Senate and before the House of Commons on May 29, 1975.

A Bill (Bill C-70), was given first reading on July 14 and was referred to your Committee for comments and suggestions. Minor technical amendments, unanimously supported by the Special Joint Committee, were made to the Bill and Bill C-70 was approved by Parliament on July 21, 1975.

Your Committee continued to hear representations until July 16, 1975 when it began the final evaluation of the evidence which had been placed before it.

Altogether 31 persons or organizations made representations and 49 persons appeared before the Committee and were questioned by members. The names of persons

appearing before the Committee and of persons and organizations submitting briefs are listed in Appendix A.

SCOPE AND LIMITATIONS OF THE COMMITTEE'S INVESTIGATION

The task facing your Committee was a formidable one. Employer-employee relations in the Public Service of Canada are governed by several different statutes principally the Public Service Staff Relations Act, the Public Service Employment Act and the Financial Administration Act. These statutes provide for two independent regulatory agencies in the area of Public Service employer-employee relations: the Public Service Commission which derives its authority and responsibility from the Public Service Employment Act; and the Public Service Staff Relations Board which derives its authority from Public Service Staff Relations Act. Although both agencies are concerned with the rights of employees as individuals, the Public Service Staff Relations Board has the additional concern of the relationship of bargaining agents and the employers in collective bargaining. For most employees in the Public Service, the Treasury Board (which derives its authority from the Financial Administration Act) is the employer, working with and through deputy heads on matters relating to personnel management. For other employees, the statutory employer is the agency in which they are employed and these agencies, the "separate employers", also exercise employer status and have responsibilities under the Public Service Staff Relations Act.

From the point of view of employees, and also to a considerable extent from that of the bargaining agents, these statutory divisions of authority and responsibility raise awkward barriers against the logical processes of personnel administration in the Public Service and against the resolution of problems facing individuals and groups of employees. Despite the limitations on the scope of your Committee's inquiry which were imposed by its terms of reference, many witnesses, especially those representing employee interests, urged us to come to grips with any aspect of the total system which required improvement and change.

The problem is perhaps best understood from an historical perspective. From 1918 until 1967, personnel management in the Public Service was based on the Civil Service Act and administered by an independent agency, the Civil Service Commission. In 1967, following a comprehensive study and report by the Preparatory Committee on Collective Bargaining, and detailed consideration by a Special Joint Committee of the Senate and House of Commons, Parliament approved a new statute, the Public Service Staff Relations Act, to accommodate the added dimension of collective bargaining. The Civil Service Act (now the Public Service Employment Act) underwent major amendments. Significant changes were also made in the Financial Administration Act. Responsibilities which had been vested in the Civil Service Commission for fifty years now passed to the Treasury Board, re-cast as the "general

manager" of the Public Service and "the employer" in the collective bargaining relationship. The major responsibility under the Public Service Employment Act became that of "staffing", (recruitment, selection, appointments and appeals) and was entrusted to the Public Service Commission. This rearrangement of responsibilities was seen at the time as providing an acceptable accommodation between those concepts and systems which had proved their worth over many decades and the new attitudes towards the regulation of employer-employee relationship which had gradually spread throughout Canada in the post-war period.

In the words of the *Report of the Preparatory Committee on Collective Bargaining* which was published in July, 1965:

"When the Industrial Relations and Disputes Investigation Act was passed in 1948, there was no apparent desire on the part of the Public Service employee organizations to have their relationship with the Government regulated by the legislation. Within a few years, it was being argued by some associations that the Public Service should be brought within the ambit of the Act and by others that a system of collective bargaining and arbitration designed specifically for the Public Service would be preferable. By about 1960, the latter view had become clearly dominant."

The formula of accommodation between the old and the new, which was devised in 1965 by the Preparatory Committee, and which led to the present legislative format, is of fundamental importance to the character and quality of employer-employee relationships in the Public Service. Your Committee has had to consider whether it should resist or respond to the request for a re-evaluation of the relationship between the present Public Service Staff Relations Act and the Public Service Employment Act. In reaching our conclusions in this regard, we considered both the terms of reference given to Mr. Finkelman when he undertook his study and the terms of the orders of reference given to us by the Senate and the House of Commons. Both are included in Appendix B of this report.

Guided by these terms of reference, your Committee has heard the views of interested groups and persons on the Finkelman recommendations. This report constitutes our assessments, conclusions and recommendations on the major submissions made to us.

PUBLIC SERVICE EMPLOYMENT ACT

In his first appearance before your Committee, the Chairman of the Public Service Staff Relations Board, Mr. Finkelman, said:

"Although a number of the bargaining agents urged that I recommend a substantial expansion of their role in regulating appointments to and within the Public Service, I decided that, whatever the merits of such changes, I had no mandate to undertake policy initiatives that would alter, in any substantial manner, the traditional responsibility of the Public Service Commission for regulation of the merit principle. If in the course of time such an alteration is to be made, the preparation for such

a major shift in public policy will need to be much broader based than my investigation."

Your Committee heard representations from bargaining agents for expansion of the scope of collective bargaining into areas now administered by the Public Service Commission. On December 4, 1974, Mr. Carson, Chairman of the Public Service Commission, urged the Special Joint Committee to review the entire Public Service Employment Act rather than only those sections relating to Mr. Finkelman's recommendations. Over the course of the Committee hearings the mood of the bargaining agents, realizing the scope and implications of their demands, changed. The Public Service Alliance of Canada at its appearance before the Special Joint Committee requested the establishment by the Government of a committee to study the Public Service Employment Act and make recommendations within two years.

In May of 1975, the Public Service Commission appeared again before the Committee and supported the altered Alliance view. The Public Service Commission had modified its approach and, in its second submission to the Special Joint Committee, recommended that:

(a) a review of the Public Service Employment Act and the role of the Commission be undertaken by a special task force; and

(b) immediate amendments to the Public Service Employment Act should be limited in the meantime to necessary technical adjustments.

Your Committee concluded that the comprehensive re-evaluation of personnel management in the Public Service of Canada implicit in a review of the Public Service Employment Act was beyond our scope and resources.

Because of these representations and of the consensus reached as to the need for a comprehensive study of the issues and the alternatives, which must be thoroughly assessed before Parliament can deal with the Public Service Employment Act, your Committee recommends:

1. That a special task force be established to review the Public Service Employment Act and the role of the Commission in personnel management and employer-employee relations in the Public Service; and

2. That the review include an examination of the role assigned the Public Service Commission and its relationship to the Treasury Board Secretariat and the Public Service Staff Relations Board.

3. That the review entail a study of the relationship of the Public Service Commission and the departments and agencies; and consider the development of an audit system for performance accountability with respect to matters delegated to departments and agencies under the Public Service Employment Act.

We are satisfied that Parliament, at the earliest opportunity, should correct certain problems which the Public Service Commission indicated it has encountered in its administration of the Public Service Employment Act, as it now reads.

Your Committee therefore recommends:

4. That because two or three years may elapse before the aforementioned review results in legislative changes, certain revisions to the Public Service Employment Act be made immediately to allow the Public Service Commission to operate efficiently under the present statute and that the Public Service Commission, after consultation with the bargaining agents and the employer, develop proposals for such revisions.

5. That Parliament consider the proposed changes to the Public Service Employment Act as soon as possible, bearing in mind their relationship to changes recommended in the Public Service Staff Relations Act.

COLLECTIVE BARGAINING IN THE PUBLIC SERVICE: FACTS AND FIGURES

The Government of Canada is the largest employer in the country. Though not all government employees are public servants, there were in April, 1975, almost 250,000 public servants represented under the Public Service Staff Relations Act by fourteen different bargaining agents in 104 bargaining units.

According to evidence presented to the Committee, between the introduction of collective bargaining in the Public Service in 1967, and November 30, 1975, there have been 449 collective agreements—73.9% (332) by voluntary agreement; 15.1% (68) following arbitration; 8.6% (39) following conciliation; and 2.4% (11) following a legal strike.

Though Parliament has several times enacted back-to-work legislation for disputes falling under the Canada Labour Code, at no time has such action been necessary for the 11 lawful strikes under the Public Service Staff Relations Act. There have been however more than 50 unlawful strikes, since collective bargaining was introduced to the Public Service of Canada in 1967 and more appropriate means appear to be necessary to curtail unlawful activity. If the record had been different then we might have very well concluded that the assumptions underlying collective bargaining in the Public Service of Canada ought to be changed.

The Public Service Alliance is the largest Public Service union, representing some 165,000 employees. The next largest union is the Canadian Union of Postal Workers which represents 23,000 employees. The Professional Institute of the Public Service has been certified to bargain on behalf of approximately 17,000 employees. Other certified bargaining agents are: the Letter Carriers' Union of Canada, 16,500 employees; the Canadian Postmasters' Association, 8,200 employees; the Association of Postal Officials of Canada, 3,600 employees; Local 2228, International Brotherhood of Electrical Workers, 2,700 employees; the Federal Government Dockyards Trades and Labour Council, 2,600 employees; the Economists, Sociologists and Statisticians Association, 2,300 employees; the Research Council Employees Association, 2,200 employees; the Canadian Air Traffic Control Association, 2,150 employees; the Council of Graphic Arts Unions of the Public Service of Canada, 1,250 employees; the Canadian Merchant Service Guild, 1,000 employees; the Professional Association of Foreign Service Officers, 1,000 employees; and the *Syndicat général du cinéma et de la télévision*, 400 employees. Statistical

tables reflecting significant developments in the collective bargaining structures and process from 1968 to 1975 are shown in Appendix C.

THE PUBLIC'S INTEREST IN PUBLIC SERVICE BARGAINING

The aim of collective bargaining is to reconcile the interest of employed persons in improving the terms and conditions of their employment with management's interest in obtaining operational efficiency.

In the Public Service, it is important that this reconciliation be effected in such a way as to ensure that services for which taxes are paid be not interrupted. It is the increasing interruption of such services, sometimes even to the degree of imperilling the public interest that now causes serious concern.

Some witnesses before your Committee argued that it is wrong for public services ever to be disrupted and it is wrong, therefore, for the Government to condone disruption by permitting public servants to strike in any circumstances. Others argued that only when they are allowed to engage in free collective bargaining, including resort to strike, can public servants obtain satisfactory conditions of employment.

The right to strike, however, is not an issue confined to the federal public service. Your Committee estimates that there are well in excess of 2,000,000 persons employed in public services in Canada. Of these, 250,000 in the employ of the Federal Government are subject to the Public Service Staff Relations Act. The rest include persons employed by federal Crown Corporations, provincial governments and Crown Corporations, municipalities, school boards and hospital boards. In varying degree and with certain important exceptions, these employees too have the right to strike, as do employees governed by federal and provincial labour laws in the private sector who provide services which may be considered essential by the public. It is therefore to be assumed that a large proportion of the work-force engaged in providing services which affect the public interest in Canada supports the continuation of the right to a withdrawal of services.

Some who believe the right to strike in the Public Service of Canada should be withdrawn tend to disregard the achievements of the parties since 1967. Apart from the recent actions by certain union leaders, the Public Service unions which have been certified as bargaining agents under the Public Service Staff Relations Act deserve, with few exceptions, public appreciation on several counts.

They have overcome the inherent organizational fragmentation and geographical dispersion of their constituents and brought them together into stable and enduring national bargaining units for the purposes of collective bargaining.

They have written viable constitutions to govern their internal affairs which adopt and preserve within their organizations the democratic traditions of this country. Despite the immediate climate of the collective bargaining

relationships and the tensions generated by disputes, their leaders have generally operated within the law and have endeavoured to restrain those who counselled otherwise. Public Service unions have brought to the negotiating table a respect for rational arguments, institutions and processes producing an approach to settlements good enough to merit study by many other jurisdictions.

There is a need to recognize and give credit as well to those who have represented the employer, both in achieving the structure of relationship which was recommended in the *Report of the Preparatory Committee on Collective Bargaining* and in maintaining day-to-day relationships in departments and agencies, where collective agreements are interpreted and administered.

Considering our terms of reference, the immediate requirements for change, the evidence of the interested parties and the record of collective bargaining in the Public Service of Canada, your Committee concludes that there is much merit in the system created by the legislation enacted in 1967. After all the evidence was heard and debated, Parliament added new dimensions to collective bargaining in Canada. In the future, the assumptions underlying collective bargaining may change but your Committee's mandate and direction focused on finding solutions to today's problems. Therefore, our purpose was to strengthen and improve the collective bargaining process in the Public Service of Canada wherever possible.

It is perhaps appropriate that your Committee's study should have been conducted during the course of the longest strike that has occurred since the collective bargaining in the Public Service became law. We have been obliged to consider very carefully whether Parliament in 1967, in its concern that public servants should not be deprived of rights granted to others, went too far. Experience over the past eight years allows us to examine the consequences of granting the right to strike for the Public Service. Your Committee decided to determine where to draw the line between the rights of public servants and the rights of the public: at what point the public, through the Government and then Parliament, should be prepared to intervene in the collective bargaining process; and, if intervention is appropriate, whether it should be by a continuing statutory prohibition or by an ad hoc response to a particular situation.

Your Committee concluded that where the activities of the parties engaged in collective bargaining do not adversely affect the public interest, the collective bargaining process should be free to operate without government intervention. But when the public interest becomes adversely affected, Government and Parliament should be prepared to intervene.

The assumption upon which Parliament granted the right to strike in the Public Service of Canada in 1967 was that the safety and security of the public were assured. The exception to the right to strike for some "designated" employees made it possible for Parliament to grant that right to most public servants since their services were not essential to the safety or security of the public.

The requirement to ensure that services affecting the safety or security of the public be uninterrupted remains unquestioned. None of the bargaining agents appearing before the Committee disagreed with the concept of "designated employees"; that is, that certain persons performing duties relating to the safety or security of the public should be denied the right to strike.

Your Committee therefore concludes:

6. *That the general principle of collective bargaining law governing the Public Service of Canada is sound and the rights granted should not be withdrawn merely to overcome inconvenience.*

7. *That the bargaining agents, subject to the conditions of the statute and the recommendations to follow, continue to be able to choose arbitration or conciliation-strike, as the method of dispute resolution.*

8. *That there is a need for additional procedural and substantive amendments to the law governing the collective bargaining relationship, and more appropriate remedies for unlawful activity.*

With respect to the national economic or social impact of a strike by public servants, or indeed by any other group of employees, your Committee has no doubt that where the welfare of the community as a whole is concerned, the right to strike is not sacred and its suspension is the responsibility of the Government and Parliament or the appropriate Legislature.

The continued protection of the national economic or social interest can be provided by statute at the cost of a total denial of some rights now available to persons providing services to the public; or it can be protected by granting a statutory right to strike and imposing on Government and Parliament the responsibility of determining when a strike has so affected the public interest that the right must be suspended.

Your Committee recognizes that the public interest can be adequately protected by Government and Parliament determining when and where the public interest is adversely affected. When Parliament is dissolved, the Governor-in-Council should be similarly empowered.

Your Committee therefore recommends:

9. *That when Parliament is dissolved, the Governor-in-Council be empowered to suspend the right to strike, whenever in its opinion a strike is adverse to the public interest.*

In order to provide additional mechanisms to facilitate settlements, the Committee examined the techniques available under the Canada Labour Code and endorses the provision enabling the establishment of Inquiry Commissions. Your Committee therefore recommends:

10. *That the President of the Privy Council, upon the recommendation of the Public Service Staff Relations Board, acting on his own initiative or upon application, may refer a dispute or difference between employer and employee that exists or is apprehended to exist to an Inquiry Commission for investigation and report to the President of the Privy Council.*

DESIGNATED EMPLOYEES

Both Mr. Finkelman, in his report, and the Treasury Board, in its representations to the Committee, proposed

that the definition of designated services should be extended. In some of the representations from organizations outside the public service, suggestions were made which would have broadened the definition to include "essential services". Your Committee feels that the phrase "essential services" is too difficult to define and would lead to the inclusion of most public servants. In other words the right to strike would be granted to public servants only to be denied by another process. In balance, we conclude that some extension of designated services beyond safety or security is necessary, to ensure that "health" be included, and to add a new dimension that of protection of public property.

Your Committee does not believe that it is the desire or in the interest of any employee or bargaining agent to indirectly damage or destroy public property, to jeopardize national treasures, or to expose to risk the outcome of important experiments through the withdrawal of services. The results of such destruction would in some circumstances interfere with a return to work despite a settlement. We accept the assurances of the representatives of the bargaining agents that appeared before us that special arrangements can and will always be made to guarantee protection. We do not doubt the good faith of those making these representations but we believe that the public should have statutory assurance in these areas and that such minimum protection no longer be a subject of bargaining. Your Committee therefore recommends that the law be revised to provide for the designation of employees:

11. *To protect members of the public against an imminent threat to their health, where the withdrawal of services would pose such a threat.*

12. *To ensure the continuation of important experiments particularly long-term experiments or research where the withdrawal of services would place them in jeopardy.*

13. *To maintain the necessary physical environment for the security of national treasures.*

14. *To ensure that temperature of all public buildings does not fall below 50 Celsius. (The maintenance of temperature at 50 Celsius will have no detrimental effect on the employees' strike nor will it provide any assistance to the employer to continue operations.)*

Though the bargaining agents all agreed that the concept of designation was valid there was criticism of the number of people designated, the identification of the persons designated and the designation process itself. It was argued that the compilation of the list of designated employees should be left to the parties to negotiate. This view assumes that the prime concern of the parties is to protect the public interest. Experience does not necessarily support this view. Instead, it shows that the public interest tends to become secondary to the primary subject of bargaining terms and conditions of employment. Eight years of experience has shown that the designation process has become integrally related to the negotiation process with all the devices of strategy, advantage, timing, play and counter-play. In some circumstances the employer has inflated its list on the assumption that in subsequent

bargaining some designations would be lost. On the other hand, the record also reveals that too often the initial response of bargaining agents to the employer's proposed list of designated employees was to object to every position on the list. In other circumstances, for strategic reasons, bargaining agents have agreed to proposed designations that would otherwise have been unwarranted.

Your Committee deplores these techniques. These manoeuvres have produced a lack of confidence on the part of employees in the integrity of the process. We therefore conclude that the process by which employees are designated under the Act is unsatisfactory.

Under the present legislation, the designation process becomes operative only where the bargaining unit has chosen the conciliation - strike route as the dispute resolution mechanism and the designation has application and effect only during the period in which a legal strike occurs in that cycle of bargaining. Your Committee believes that employees should be designated because they perform duties protecting the public interest and not because of the dispute resolution process chosen; and further that if the duties of a position are designated, the incumbent should be required to perform those duties until a case can be made that justifies the removal of the "designation" status.

Later in this report, the penalties recommended for unlawful activities are set out and distinctions are drawn between designated and non-designated employees. Designated employees or those accessory to preventing designated employees from performing their services should be subject to the appropriate penalties whenever they unlawfully withdraw their services.

After eight years of experience with the designation process, one might reasonably expect the system to have matured and stabilized. On the contrary, we find that there is neither stability nor continuity in the existing processes of designation. In order to improve the designation process and to ensure that the public interest is protected under the collective bargaining process your Committee recommends:

15. *That the Public Service Staff Relations Act be amended to require the designation of all employees whose functions involve the provision of services which in accordance with this Act are to be provided without interruption.*

16. *That the bargaining agents and the employers continue to be required to determine, by agreement, the employees in the bargaining units who are to be designated.*

17. *That the Public Service Staff Relations Board continue to be empowered to make determinations regarding the appropriateness of a "designation" where the parties cannot reach agreement.*

18. *That, where necessary, the techniques of examination, mediation and reference to established precedent be employed to resolve disagreements in connection with the determination of designated employees and to assist in what will be initially an extensive task.*

19. *That permanent lists of designated employees for each bargaining unit be filed with the Public Service Staff Relations Board.*

20. That the Public Service Staff Relations Board establish appropriate processes for ensuring that the lists of positions and incumbents are kept up to date and for dealing with proposed amendments in the lists submitted to it by the employer or the bargaining agents concerned.

21. That the incumbents of the designated positions be informed by the Public Service Staff Relations Board of their obligation under the Act with special reference to the penalties for unlawful activity.

22. That the processes referred to in Recommendation 20 distinguish among proposals which involve a change in incumbent, a new position comparable to a position previously designated, and a position in respect of which the employer cannot rely on a precedent.

PROSECUTION OF OFFENCES UNDER THE ACT

During the course of the hearings and deliberations of this Committee the largest outbreak of unlawful strike activity in the eight-year history of the legislation took place. Between October 1974 and September 1975, the Treasury Board sought consent from the Public Service Staff Relations Board, as required by the provisions of Section 106 of the Act, to prosecute some 2,300 employees in 6 bargaining units for unlawful strike activity before the courts. Approximately 940 of these were alleged to be designated employees. Insofar as we can ascertain, in most cases where consent has been granted, the employer has initiated prosecutions in the courts. The judicial process has proven to be cumbersome and expensive, and the court decisions lacked uniformity.

The present two-stage process with its substantial costs, delays, fragmented administration, absence of precedents, and inconsistent penalties has led all parties to agree that the present system for dealing with unlawful activity is not working well and is inappropriate.

At first it was suggested that all prosecutions should be taken directly to the courts, thereby increasing the number of forums and simultaneous hearings. Arguments opposing this suggestion pointed to: judges unfamiliar with the public service and the relevant statutes, lawyers with insufficient time to prepare for such a mass of separate actions, an inability to group respondents or to make procedural arrangements on a national basis, and the lack of precedent or deterrent value.

In the context of this analysis, Mr. Finkelman suggested that allegations of unlawful activities by designated employees be heard by the Board and that those of non-designated employees be heard by the courts after consent is obtained.

This led to a proposal carefully considered but not accepted by the Committee which suggested that in cases of unlawful activities by designated employees, the employer should have three alternatives:

(a) To impose discipline, subject to the review by the Board of the appropriateness of the discipline, or its extent, through the grievance procedure.

(b) To seek remedial action by application to the Board, the Board to be empowered to impose a monetary

penalty or to direct that disciplinary action be taken against the employee.

(c) To seek consent to prosecute an employee in the courts, the Board to be empowered to substitute for consent, on its own initiative or on request of an employee, a penalty or a direction that disciplinary action be taken in accordance with option (b).

Under this proposal, the employer would be entitled to resort to only one of these alternatives with respect to an employee involved in any one offence. On its face, this model appears to allow the employer complete freedom in the selection of the alternative, in that, theoretically all offences could still give rise to consent to prosecute proceedings and determination by the courts.

The existing consent to prosecute proceeding is one of the main characteristics of the present process and has been found to be cumbersome.

Your Committee believes that what is required is a procedure that reduces reliance on "consent proceedings" and on the courts. To achieve this objective, your Committee concludes that the statute should identify three procedural options for dealing with unlawful activity:

(i) Disciplinary action by the employer, reviewable through the grievance process and adjudication.

(ii) Prosecution of an offence before the Public Service Staff Relations Board, and disposition of the case by the Board.

(iii) Prosecution of an offence in the courts and disposition of the case by the courts.

Your Committee is convinced that minor infractions of the statute should be dealt with directly by the employer, that is, utilization of the traditional authority of the employer to deal with employee misconduct. If the employer's imposition of penalties is fair, the basic objective of deterring future unlawful activity will be served. In the view of your Committee, in other cases of unlawful activity, the Public Service Staff Relations Board should be provided with the necessary authority to deal with any infraction of the legislation. Resort to the courts should be limited to those cases considered to be serious offences.

With respect to those classes of action which we believe should continue to be subject to prosecution in the courts, the question arises as to whether prosecution should be dependent upon the consent of the Public Service Staff Relations Board. In this matter, we were persuaded by evidence presented to us by the Board's Chairman, Mr. Finkelman, who in addition to his experience in the administration of his section of the Public Service Staff Relations Act, was both architect and administrator of similar provisions of the Ontario Labour Relations Act. In a submission made to us on June 5, 1975, Mr. Finkelman reflected on his reluctance to recommend removal of the "consent to prosecute provisions" of the Act.

"One of the reasons for my hesitation is that such an approach would represent a sharp departure from a pattern that prevails in the legislation applicable to the private sector in most jurisdictions in Canada. Even if we were to conclude that such a requirement had out-

lived its usefulness in industrial relations generally, I believe the elimination of the requirement insofar as it relates to employees in the federal Public Service alone would open the door to a charge that such employees were being discriminated against, particularly so since in the public sector, the employer is both employer and government."

To achieve the general aim of limiting the involvement of the courts and placing greater emphasis for this responsibility on the parties concerned and on the Public Service Staff Relations Board, your Committee recommends:

23. *That three procedural remedies be available for dealing with unlawful actions:*

- (i) Disciplinary action by the employer, reviewable through the grievance process and adjudication.
- (ii) Prosecution of an offence before the Public Service Staff Relations Board, and disposition of the case by the Public Service Staff Relations Board.
- (iii) Prosecution of an offence in the courts after obtaining consent to prosecute from the Public Service Staff Relations Board and disposition of the case by the courts.

24. *That the statute provide a schedule of offences and penalties applicable to the class of offence.*

MAXIMUM PENALTIES FOR UNLAWFUL ACTIVITY

Your Committee has identified the following classes of actions which, under the present Act, are unlawful. These are:

- (a) Declaration, authorization or incitement of unlawful strike.
- (b) Discrimination against employees or employee organizations prohibited under the Act.
- (c) Participation of employees in an unlawful strike.
- (d) Intimidation of employees
- (e) Other prohibited acts by unions, employers or representatives thereof.

Having identified the nature of the offences your Committee constructed a schedule of penalties suitable to the infraction. Your Committee further decided that if the offence involves designated employees, it should in whatever class it falls, be regarded as more serious and should therefore attract more severe penalties than similar offences which do not involve designated employees.

Our recommendations with respect to the classes of offences which should be identified in the Act, the procedural options which should be available to the injured party in prosecuting an alleged offence, and the maximum penalties which the act should prescribe for each offence, are set out below. In determining the scale of the maximum penalty which should apply, your Committee reviewed and utilized those provided in Section 190 of Part V of the Canada Labour Code (which of course does not contain references to designated employees). With respect to offences which did not involve designated employees, our recommendations adhere generally to those established by the Code. However, we have recommended that the

maximum penalties, where the infractions involve designated employees or interfere with the performance of duties by designated employees, be at least double those imposed against non-designated employees.

So that unlawful activity may be dealt with more effectively, your Committee recommends:

25. *That unlawful offences under the Act be dealt with by identifying the party, the nature of the illegal activity, the available option and the forum before which the hearing would take place, and also the maximum penalties for each unlawful activity. (See Schedule 1)*

Your Committee heard references on the practices which secure the termination of unlawful activity in exchange for a waiver of prosecution or disciplinary action. However, your Committee deplores such agreements where services affecting the safety or security of the public have been interrupted by an unlawful strike or lockout and therefore recommends:

26. *That where "designated employees" have interrupted or impaired services by an unlawful strike or there has been an unlawful lockout and no action has been initiated by the employer or bargaining agent against the contravening parties, then a Special Commissioner whose office shall be independent should be empowered to initiate legal proceedings.*

27. *That the Special Commissioner's authority to initiate proceedings be limited to the period beginning 15 days after the date of the alleged contravention, and terminating 45 days later.*

28. *That the Special Commissioner should not be able to initiate any action against any person if a proceeding in respect to that offence has already been initiated.*

In its consideration of the deterrent effect of fines on unlawful activity, your Committee recognized the difficulty associated with the concept of a fine which is imposed on the Government as employer. To constitute a deterrent, a fine must have the effect of penalizing the offender. In the case of the Government as employer, the financial impact of a penalty would be insignificant. Moreover the Government, in its role as custodian of the Consolidated Revenue Fund, simply removes the money from one pocket and puts it into another. The solution to this problem, in the opinion of your Committee, is to convert the nominal economic penalty into a real political penalty by applying the technique now provided in the Act (Section 21) for the enforcement of an order of the Public Service Staff Relations Board, that is by tabling a report of the Public Service Staff Relations Board in Parliament.

Your Committee also concludes that in cases of unlawful activity it would be useful to identify in the reference, in the case of the employer, where appropriate, the offending department or agency; and in the case of the union, where appropriate, the offending local.

Your Committee therefore recommends:

29. *That fines levied by the Public Service Staff Relations Board on employees, or officials of the employer, or on a bargaining agent, be recoverable if necessary by an order of the court.*

30. That where the employer is in contravention, the Public Service Staff Relations Board should be required to provide the Minister through whom it reports to Parliament, with a description of the offence, and the Minister should be required to table the Public Service Staff Relations Board's report in Parliament within a prescribed period.

31. That where the action has been taken in the case of the employer by a department or agency, or in the case of a bargaining agent by a component, division or local of the bargaining agent, the department, agency, component, division or local should be identified.

Your Committee also concludes that the additional remedy of issuing cease and desist orders be attached to the declaration of unlawful strike presently provided by statute at Section 103 of the Public Service Staff Relations Act. The Public Service Staff Relations Board now has the authority, upon application, to find that certain activities constitute an unlawful strike. This procedure should be expanded, in accordance with Mr. Finkelman's recommendation, to include unlawful lockout. Because there is no remedy attached to the present procedure which is merely declaratory, your Committee recommends:

32. That the Public Service Staff Relations Board, upon application, and when it finds that there is an unlawful strike or lockout, be empowered to issue a cease and desist order in all cases of violation.

33. That such order be filed in court and entered in the same manner as a judgment and be enforceable as such.

CLASSIFICATION

Under the present statute, classification standards are established unilaterally by the employer, although the employer consults with the interested bargaining agent before implementation and before undertaking changes. Evidence presented to your Committee by the Treasury Board and the bargaining agents was divergent in relation to the effectiveness of the consultative process. In his original recommendations, Mr. Finkelman concluded that "it is not feasible to make classification bargainable at this time". Instead he recommended a formalized consultation process and mediation as a first step to eventual negotiation. However, after reviewing the evidence presented to your Committee, which indicated that the unions were prepared to negotiate classification standards outside the normal process of collective bargaining, Mr. Finkelman, in subsequent representations to your Committee, proposed that classification should be bargainable as follows:

(a) in the context of a separate bargaining cycle corresponding to the proposed consultation cycle: and as well

(b) in an ordinary round of negotiations where proposals for a revision in the relevant classification standard were included in the demands of the bargaining agent.

Conciliation boards would be prohibited from dealing with references relating to the revision of a classification standard. However, all classification disputes would be referable to arbitration, whether they arose in the context of ordi-

nary bargaining or "separate cycle" bargaining. Resort to strike or lockout to resolve classification disputes would be prohibited. Mr. Finkelman also endorses proposals made by the Public Service Alliance for the arbitration of disputes arising out of the negotiation of a new or revised classification standard on a "sequential" basis. This can be done by identifying the chronological order of the development or redevelopment of a standard, identifying the sequence of decision points which occur in this process, and providing for reference to arbitration of disputes arising at any of the decision points.

Though he accepted the view of the bargaining agents that the legislation should be amended to provide for bargaining on classification standards "at this time", Mr. Finkelman was insistent that a break-in period of "systematic consultation" with recourse to mediation should be imposed by law. The parties, including the Public Service Staff Relations Board, required this time to accustom themselves to the process before eventually engaging in the negotiation and arbitration of classification standards.

During the course of our examination of the extension of the scope of bargaining to include classification standards, and our evaluation of Mr. Finkelman's recommendations and of the representations made to us on this subject by the several bargaining agents and the Treasury Board, your Committee participated in the evolution of a "model" which drew its inspiration from many sources. In our view, an approach to the problem has been devised which, to some extent may have reduced the employer's apprehension on the one hand and on the other attracted widespread support from bargaining agents, who in their initial propositions had not come to grips fully with the complexity of the undertaking.

Your Committee is of the opinion that the law should provide for some extension of the scope of bargaining so as to include classification standards, and recommends as follows:

34. That, having regard to the established jurisdiction of bargaining agents in the Public Service, bargaining classification standards be interpreted to mean the determination of the relative worth of jobs within an occupational group.

35. That provision be made in the law for the bargaining of classification standards following the three-year period after promulgation.

36. That collective agreements incorporating classification standards be treated as "special agreements having their own duration".

37. That in accordance with regulations made by the Public Service Staff Relations Board, disputes arising in negotiations and involving the development or redevelopment of a classification standard be subject to reference to and arbitration by the Board.

38. That the provisions of the Act relating to the appointment of conciliation boards or conciliators not apply in cases of disputes arising out of the negotiations of classification standards, but that the Board be empowered to appoint a mediator.

39. That resort to strike or lockout to resolve classification disputes be prohibited.

40. That arbitration of the pay plan attached to a classification standard be dealt with by the Public Service Staff Relations Board only with the consent of both parties.

The bargaining agents all supported the view that adjudication should be broadened to include classification grievances. This proposal was concurred in by representatives of Treasury Board. Your Committee therefore recommends:

41. That classification grievances which are not resolved in the grievance process should be referable to adjudication.

TECHNOLOGICAL CHANGE AND LONG-TERM LAYOFF

Modernization, technological change and economic adjustment to the market, or indeed any significant modification in the way in which goods are produced and distributed or services provided may seriously affect the terms and conditions of employment and the security of employees. The computer revolution and advances in transportation technology, agriculture or health are all obvious examples. Currently in the Public Service the automation of mail sorting is the largest and most evident example of "technological change" which may have a serious impact on the employees involved.

In April 1974, the Post Office dispute on technological change erupted into an unlawful strike which was resolved by an informal agreement. Your Committee heard several briefs from bargaining agents, especially from the postal unions, demanding that the impact of technological change on terms and conditions of employment be made negotiable.

Historically, employers have had the right to terminate an individual's employment temporarily or permanently, or to employ him in a less attractive position. *The Report of the Task Force on Labour Relations (1968)* whose studies and report preceded the revision of the federal labour law in 1971, used the term "industrial conversion" to emphasize the way in which any modification or modernization of industry can threaten the security of employees. In its report, the Task Force wrote:

"The term industrial conversion embraces all major changes that may have a permanent disruptive effect on the employment relationship. It covers far more than technological change or automation, since these are only one set of forces at work leading to such disruption . . .

Industrial conversion has a vital part to play in a dynamic growing economy. Change is essential to society and to individual enterprises. To society, change is the key to the increased productivity necessary to meet latent public needs and unsatisfied desires . . .

But industrial conversion is not without cost to those caught in its path. There is no evidence to suggest that change in general produces a net reduction in employment; but it is the cause of worker displacement and on-the-job disruption. The costs for those adversely

affected can be great, and to them it is of little comfort that society as a whole, their employer, and even their fellow workers may benefit from the change. They want to know that is going to be done to protect them."

When the Federal Labour Code was modified in 1971, the statute imposed an obligation on employers to give notice and to re-negotiate "terms and conditions, or security of employment" when a significant number of employees would be affected by the "technological change".

In his *Supplementary Observations and Recommendations*, Mr. Finkelstein wrote:

"In a public service where units are service-wide and very large, the question arises what would be a significant number of employees in any particular circumstances? Under the Code, the power to make regulations specifying the number of employees or the method of determining the number of employees to be deemed to be "significant" for the purposes of the technological provisions of the Code is vested in the Governor in Council on the recommendation of the Canada Labour Relations Board. In short, the legislation recognizes that there is a "political" element involved. If the same formula were applicable in the public sector, should the political consideration be left to the Governor in Council, in effect the employer, or should it be vested exclusively in the reconstituted Public Service Staff Relations Board?"

With respect to the provisions of the Labour Code which relate to the right of employees to strike where their interests are threatened by technological change, Mr. Finkelstein wrote:

... "the Code provisions contemplate that a collective agreement can be reopened during its lifetime and the union can resort to a strike if it cannot reach satisfactory agreement through negotiation with the employer. Whatever the merits or otherwise of the provisions of the Code in respect of the private sector, they would, if applied to the public sector, expand the opportunity for legal strike action and thereby increase the threat of deprivation of public services."

During the period in which representations were being made to your Committee on this subject by Mr. Finkelstein, there was a dispute over technological change between the Treasury Board Secretariat and the Canadian Union of Postal Workers. The parties eventually agreed that any dispute arising out of the impact of technological change on employees in the bargaining unit during the term of the collective agreement would be dealt with by reference to a Special Arbitration Tribunal established by the Chairman of the Public Service Staff Relations Board. The award of the tribunal would be final and binding on the parties. The capacity of the employer to implement change is inhibited only by the prescribed period of notice. In effect, events overtook both the existing legislation and the work of your Committee.

Your Committee concluded that unless there is a capacity to establish duration dates that make sense in relation to the issues negotiated, the agreements or awards might well prove exercises in futility because they might lapse before their purposes were achieved. For example, we were

advised that the conversion of manned lighthouses to automated lights is taking five years. While it may be desirable for the law to stipulate that these special agreements should be read and interpreted in the context of the operative collective agreement, except where their provisions conflict with or supersede a provision of the ordinary collective agreement, the parties or the arbitrator must have the capacity to establish an appropriate duration. However, we would also suggest that, if the law is to provide for "special agreements" of long duration in circumstances where that appears appropriate, it would probably need to provide as well for a "re-opener" mechanism, on application of one of the parties to the Board, to order renegotiation after a prescribed period of time where circumstances so warrant.

Another problem faced by your Committee involved the question of whether or not the employer should be relieved of the responsibility to give notice if, in the employer's judgment, the provisions of the collective agreement already provide appropriate protection. We conclude that the answer is "No". Notice should be provided in all cases of technological change, defined as we recommend. If adequate notice has been provided prior to or during negotiations, or if the employer asserts and the union agrees that no new or different forms of protection are needed to protect the particular situation, the matter could be disposed of without negotiation. However, in the absence of initial agreement on the matter, negotiations should take place and in the course of time would be followed by a special agreement or by impasse and arbitration. In our judgment, such an approach will provide a workable procedural link between protections provided in the ordinary collective agreement and additional or special protections which may be necessary to deal with a particular area of change.

With respect to the present involvement of the Public Service Commission in the area of technological change, and its existing jurisdiction over lay-off, recall and reassignment, the Finkelman proposals would transfer authority for lay-off from the Commission to the Treasury Board and permit lay-off to be bargained and arbitrated. However, recall (i.e. the placement of lay-offs in vacant positions) would be left to the Commission, subject to whatever preferences might be established by statute. The relationship between the Public Service Employment Act and the Public Service Staff Relations Act, in this matter, will form part of the review contemplated in Recommendations 1, 2 and 3.

In relation to long-term lay-off, the Finkelman recommendations are consistent with and constitute an inherent dimension of our recommendations. These recommendations are not applicable to temporary "off-duty" status where there is no loss of job security or need for reappointment. Your Committee supports the concept recognized by all parties in the various collective agreements of "entitlement to pay for services rendered".

Your Committee recommends:

42. *That changes in technology, operations, organization or any other dimension of the structure or character of the*

employer's resources to provide service to the public be recognized as a prerogative of the employer.

43. *That the employer be obliged to bargain the impact of adverse changes on employees which may occur as a consequence of the employer's actions referred to in Recommendation 42 above, including the advance notice of such changes and the details to accompany the notice.*

44. *That the Public Service Staff Relations Board have the authority and responsibility to provide for a mediator to assist the parties where there are differences.*

45. *That the Public Service Staff Relations Board be empowered to arbitrate or to establish an arbitration tribunal to arbitrate unresolved disputes arising out of negotiations undertaken to deal with technological change.*

46. *That resort to strike or lockout to resolve technological change disputes be prohibited.*

47. *That the statute prohibit the employer from laying off an employee during the period of notice recommended in Recommendation 43 above, and that the parties be empowered to negotiate, and the arbitrator to establish where relevant, the compensation to be paid to employees whose job security will be or has been adversely affected by the changes.*

48. *That any agreement reached or arbitration award made as a result of negotiations involving technological change be treated under the law as a "special agreement" (or award) superseding the provisions and term of the ordinary collective agreement entered into by the parties and operative for such period as may be prescribed in the special agreement or award.*

THE ROLE OF PAY RESEARCH IN COLLECTIVE BARGAINING IN THE PUBLIC SERVICE

The desirability of the compilation and availability of precise, independent data on compensation and other conditions of employment outside the Public Service which can be used at the negotiation table is accepted by all. Nevertheless it remains necessary to distinguish between the general concept and any specific application of this concept in the context of negotiations and arbitration. Most witnesses acknowledged the good work of the Pay Research Bureau, but a number of important questions were raised:

(a) Should the Pay Research Bureau be detached from the Public Service Staff Relations Board?

(b) Can the existing reports of the Bureau be made available to bargaining agents in other public service jurisdictions, and the private sector as they are now generally available to employers in these jurisdictions?

(c) Should the Bureau expand its survey activities into occupational areas not required by the federal Public Service?

(d) Should the Pay Research Bureau or other agency undertake research in the criteria enunciated under Section 68 of the PSSRA?

Neither the Director of the Pay Research Bureau nor Mr. Finkelman favoured detaching the Bureau from the Public

Service Staff Relations Board at this time. Both anticipated a changing and expanding (more "national") role for the Bureau but stressed the need for time during which the role would evolve and also time for the interested parties, both within and outside the Public Service, to work out the necessary details. Evidence given by the Director of the Bureau suggests that most of the participating employers would not object to the release of Pay Research Bureau reports to bargaining agents in the public sector. A letter received by your Committee from the Canadian Manufacturers' Association indicated the Association's willingness to support wider distribution of Pay Research Bureau reports in the public sector.

The Canadian Manufacturers' Association, the Canadian Chamber of Commerce and the Toronto Board of Trade, the Canadian Labour Congress and the Canadian Union of Public Employees all supported the Bureau's present surveys and reports, the idea of expanding the Bureau's area of research and wider distribution of its reports to all areas of collective bargaining where disputes are resolved by arbitration, (essentially the public sector).

Representations were made urging action which would enshrine the principle of "fair comparison" and which would place a statutory obligation on the employer, and on the Public Service Staff Relations Board in its role as arbitrator, to establish terms and conditions of employment comparable to those paid in Canada by "good employers". Some witnesses saw this kind of statutory commitment as a guarantee which would be granted to Public Service employees in exchange for withdrawal of the right to strike.

The principle of fair comparison with good employers in the private sector would provide public servants with total incomes, benefits and working conditions equivalent to those provided by jointly selected good employers.

In its examination of this principle your Committee noted that if there is merit in the principle, it is in the potential effect on reducing the power struggle inherent in the adversary process. Your Committee rejected the notion of using this principle as the basis of a model of compulsory arbitration and the removal of the right to strike.

After lengthy consideration, your Committee observed that the principle of fair comparison shifts the power struggle from specific wage issues to disputed over the "good employers" to be jointly selected. The unions' interest in selection would be toward the "best employer", while the Government's position would be toward the average employer. The Government, as employer, it is argued, would base its posture on the idea that anything more would be both inflationary and unfair to the Canadian taxpayer. It was also noted that the Government, as employer, believes that its present pay policy results in equitable pay scales, benefits and job security. The employer's substantiation of this is its ability to attract and retain the employees it requires. These factors as well as productivity, profitability and regional disparities would need to be recognized in any definition of good employer.

Your Committee concludes that although opposing positions are inherent in the fair comparison model, such a model may be useful in contributing to a more cooperative mood between the parties based on fair treatment and communication. Albeit that a change in collective bargaining style cannot be legislated, your Committee concludes that mechanisms such as communication and pay research techniques which assist in the resolution of disputes should be improved and enhanced.

Development of a climate of trust and confidence requires effort, time, information, and a willingness to communicate. We applaud the efforts which have been made in the Public Service to establish and facilitate the work of Labour Management Committees and we recommend that more resources be committed by both parties to extend the coverage of these committees and to make them more effective. We support the continuing work of the National Joint Council and its impressive record of accomplishment in dealing with service-wide issues. We are encouraged by the work of the Advisory Committee on Pay Research, but were discouraged to learn that some of the bargaining agents in the Public Service system have refused to participate in the Advisory Committee and by so doing have neither contributed to nor profited from the Bureau's research. Evidence given to your Committee by the Director-General of the Bureau indicates that the Advisory Committee, composed of representatives of the employer and bargaining agents, provides a satisfactory structure for determining the Bureau's program and balancing program priorities. Technical problems arising in connection with surveys which relate to particular negotiations are dealt with in sub-committees whose membership is determined by the particular survey activity under consideration. We urge the involvement of all of the parties to collective bargaining in planning the Bureau's research program and utilizing data procured in its surveys.

The Pay Research Bureau, including the Bureau's Advisory Committee which assists it in planning its programs and reporting priorities, is a very important part of the communication system established by the employer and bargaining agents in the Public Service and can play a most important role in reducing the areas of difference. We support the strengthening of the Advisory Committee and greater utilization of it by the parties.

These positive attributes of employer-employee relations in the Public Service, which reduce rather than increase tensions, have not been emphasized as much as they should have been. We urge the Public Service Staff Relations Board to use its influence and its prestige both to publicize what has been accomplished and to encourage and develop better systems of communication amongst the parties with a view to blunting the sharper edges of the adversary relationship wherever possible.

If this approach were to be taken, we believe some of the posturing which has characterized both initial demands and counter-offers — posturing which tends to mislead both employees and the public — might be reduced and bargaining in good faith facilitated. If more attention were paid and more acceptance given to the data of the Pay

Research Bureau, similar improvements could be made. Accordingly, we recommend

49. That the purpose of the Pay Research Bureau continue to be that of supporting the collective bargaining process, to assist in the resolution of employer-employee disputes in the Public Service of Canada, and where appropriate to provide data to assist the collective bargaining process generally in the public sector.

50. That the independent character of the Pay Research Bureau which has always been operationally independent of the government, the employer and the bargaining agents in the Public Service of Canada, continue to be maintained under the administrative control of the Public Service Staff Relations Board.

51. That the Advisory Committee on Pay Research established to assist the Pay Research Bureau in the determination of program priorities and methods continue in this role and that the Board encourage the involvement of all Public Service bargaining agents and all Public Service employers in the work of the Committee with a view to widening the support which the Bureau provides to the collective bargaining process.

52. That the Pay Research Bureau's activities, methodology and information receive greater publicity so that its value and importance may receive wider recognition from employees in the Public Service of Canada as well as from the general public, thereby influencing the collective bargaining process and assisting in the resolution of employer-employee disputes.

53. That wherever possible and without detracting from its primary purpose, the Pay Research Bureau be encouraged to make available its reports for public distribution.

54. That the Pay Research Bureau be empowered to co-operate with similar agencies in other jurisdictions in Canada towards the most efficient and effective gathering, presentation and distribution of employment data. (This recommendation recognizes the necessity of close collaboration with other jurisdictions to ensure that mutual needs are met, methodologies are aligned and that the cost of expanded activities and/or additional resources are recoverable or payable. The Committee is hopeful that such expanded activity could take place over time if in fact this is what governments, employers and bargaining agents desire).

55. That, in order to achieve the aim of the above recommendations, the Public Service Staff Relations Act provide for a Pay Research Bureau, subject to the direction and regulation of the Public Service Staff Relations Board, to collect, analyze, present and make available data relating to terms and conditions of employment and related matters in public and private employment.

56. That, recognizing the complexity of the issues faced by the Public Service Staff Relations Board in the discharge of its responsibilities including the rendering of arbitration awards within the terms of reference established by Section 68 of the Public Service Staff Relations Act, the Public Service Staff Relations Board be encouraged to undertake to improve the arbitration process.

MANAGERIAL AND CONFIDENTIAL EXCLUSIONS

This is an issue upon which there was division between the representatives of the employer and of the employee associations. Your Committee heard two main opposing arguments:

(a) That many exclusions were unnecessary and designed to reduce the strength of bargaining agents; and

(b) That the employer's capacity to manage the service efficiently was seriously compromised by the restricted size of its "management team".

Your Committee believes that if collective bargaining is to work it is essential that each side in the relationship have proper representation, and that the law and its administrators must ensure that individuals are not caught in circumstances which generate significant conflicts of interest.

Your Committee concludes that persons exercising effective control over employees, especially in relation to other persons who are members of a bargaining unit, should be properly identified as management and should be excluded from bargaining units and from membership in unions which represent employees as bargaining agents.

Your Committee, to give expression to its conclusions with respect to the central issue of where, in the widely varied operational environments of the Public Service, the line between "employee" and "management" should be drawn, recommends:

57. That the paragraph of the Act which defines "person employed in a managerial or confidential capacity" be amended to read as follows:

"persons employed in a managerial or confidential capacity" means any person who

(a) Is employed in a position confidential to the Governor General, a Minister of the Crown, a judge of the Supreme or Federal Court of Canada, the deputy head of a department or the chief executive officer of any other portion of the Public Service;

(b) Is employed as a legal officer in the Department of Justice;

(c) Is employed as an officer or employee on the payroll of the Treasury Board;

(d) Is directly involved on behalf of the Public Service Commission in a formal process of

(i) Appointments

(ii) Consultation, or

(iii) Redress

prescribed by or under the Public Service Employment Act;

(e) Effectively participates in the determination of government policies or programs, or participates in the approval of plans of organization;

(f) exercises effective control over employees;

(g) (i) Is directly involved on behalf of the employer in the process of collective bargaining or consultation

prescribed by this Act or exercises appointing authority on behalf of the employer; or

(ii) Is primarily engaged in the administration of personnel policies or programs other than a person whose duties are of a routine or clerical nature;

(h) Is a person to whom the persons identified in sub-paragraphs (c), (d), (e), (f) or (g) are directly accountable in respect of the duties described in such sub-paragraphs; or

(i) Is engaged in confidential duties under the exclusive direction and control of a person or persons identified in sub-paragraphs (b), (c), (d), (e), (f), (g) or (h), other than a person in a support capacity whose confidential duties relate solely to the processing of grievances at the first level in the grievance procedure established under this Act,

and includes any other person who, in the opinion of the Board, should not be included in a bargaining unit by reason of a conflict between his duties and responsibilities to the employer and any interest he might have as a member of a bargaining unit.

INCOMPETENCE AND INCAPACITY AND DISCIPLINARY ACTION

Evidence submitted to your Committee reflected the difficulty in drawing the line between behaviour requiring disciplinary action and involuntary infractions which may be traced to incompetence or incapacity. The 1967 legislation divides the third party involvement in these matters between the Public Service Employment Act and the Public Service Staff Relations Act. The authority of the Public Service Commission under the Public Service Employment Act relates to circumstances where the employer proposes to release or demote an employee for incompetence or incapacity. The authority of adjudicators under the Public Service Staff Relations Act applies to disciplinary action.

This overlap has led to a variety of legal arguments respecting the jurisdiction of the Public Service Employment Act and the Public Service Staff Relations Act in a particular case. Moreover, there is confusion as to the procedure to be followed by management. In their appearances before your Committee, the bargaining agents sought the elimination of this divided authority by bringing releases for incompetence and incapacity within the jurisdiction of the Public Service Staff Relations Board.

Your Committee has studied the problem and supports the elimination of this divided authority, but recognizes that this consolidation should not interfere with the Public Service Commission's appointing authority.

We therefore recommend that:

58. Where the action of the employer results or will result in the termination of employment of an employee from a position in the Public Service, and the reasons alleged by the employer are misconduct, abandonment of position, incompetence or incapacity, the employee should be entitled to grieve the termination action.

59. Where the employee's grievance has not been dealt with to his satisfaction at the final level, he should be able to refer it to the Public Service Staff Relations Board for adjudication.

60. The adjudicator should be empowered to rescind the termination where he upholds the employee's grievance, or substitute other action if the employer's action was not well-founded but he should not be empowered to recommend or effect an alternate appointment.

61. The Public Service Commission should on request re-appraise every employee whose employment in a position in the Public Service has been involuntarily terminated to assess whether the employee is suitable for appointment to another position.

62. An employee found suitable for appointment following re-appraisal should be entitled to have his name entered on any appropriate eligibility list and for a period of time (e.g. one year) enter closed competitions.

63. Where the employee is appointed within the period referred to in Recommendation 62 above, ordinary rules of continuity of employment should apply to him.

64. None of the procedures referred to above involving redress of grievance and opportunity for re-employment should apply to an employee who is offered and accepts another position in lieu of termination.

UNION VOTING PROCEDURES

Union voting procedures, particularly strike and ratification votes, have received considerable attention. The present Public Service Staff Relations Act is silent with respect to the conduct of votes by bargaining agents.

The Ontario Labour Relations Act (Section 63) places an obligation on unions conducting a strike or ratification vote to ensure that "ballots are cast in such a manner that the person expressing his choice cannot be identified with the choice expressed". The Ontario Act does not protect the rights of all members of the bargaining unit to vote.

Your Committee recommends:

65. That where a bargaining agent conducts a strike vote, or submits a proposal for a collective agreement to its membership for approval,

(a) The vote should be carried out by secret ballot in accordance with procedures prescribed by regulations of the Public Service Staff Relations Board; and

(b) A breach of the regulations of the Board in this respect should constitute a contravention of the Act, and the union or persons concerned should be subject to the appropriate penalties;

66. That where a bargaining agent conducts a strike vote or submits a proposal for a collective agreement to the members of the unit for ratification, every member of the unit should be entitled to vote, and any act by a union or union official, or any other person, to prevent a member of the bargaining unit from voting should constitute an offence under the Act.

Recent events have also aroused great public concern with respect to the role of conciliation boards and their

reports in the resolution of strikes in the Public Service. We have considered at length how to ensure that the contribution which a conciliation board makes might be enhanced. A conciliation board report, whether it is unanimous, a report of a majority of the board, or a report of its chairman, contributes to a settlement.

Your Committee recognizes that, following the publication of a conciliation board's findings, the employer may make an offer which is an improvement over the conciliation report.

The question facing your Committee in relation to the issue was whether or not the statute should require a conciliation board report to be placed before the members of a bargaining unit for approval or rejection, and, if so, when. Your Committee recognizes this as a problem but was not able to agree on an acceptable solution.

CASUAL EMPLOYEES

Government departments and agencies engage casual employees to help meet work fluctuations, for special short-term projects, as replacements for employees on leave or training, for seasonal requirements, and for other similar purposes. Presently, casuals are appointed by the Public Service Commission and are covered by the Public Service Staff Relations Act after six months of employment. Up to six months, casual employees' terms and conditions of employment are governed by Regulations made pursuant to the Financial Administration Act. On the whole, the benefits and the protections of the Regulations are not as generous as those provided by collective agreements.

In 1969 the Treasury Board directed departments to extend to casual employees the benefits of collective agreements from the first day of employment where it is known that the period of employment will exceed six months.

The bargaining agents in their representations to your Committee opposed the six month exclusion from the Public Service Staff Relations Act. Mr. Finkelman initially proposed a reduction to 120 days in any continuous period of 12 months and that students hired during their school vacation period be excluded from collective bargaining. Following representations by the Public Service Commission respecting the appointment process concerning casuals, Mr. Finkelman revised his recommendation from 120 days to 60 days.

Your Committee concludes that there is a continuing need in the Public Service of Canada for persons to discharge temporary duties of indefinite duration. What is left to determine is the status of casual employees; the method of termination of employment and their terms and conditions of employment.

Your Committee recommends:

67. *That students hired during their school vacation period be excluded from collective bargaining.*

68. *That the review of the Public Service Employment Act recommended at Recommendations 1, 2 and 3 determine the process applicable to the appointment of casuals.*

69. *That the matter of length of casual service and its relationship to permanent or indeterminate appointment also be dealt with by the review recommended at Recommendations 1, 2 and 3.*

70. *That the employer be able to release a casual employee without notice and without redress.*

71. *That after working 60 days in any continuous period of 6 months, casual employees be subject to the terms of the appropriate collective agreement.*

72. *That after working 60 days in any continuous period of 6 months, a casual employee will qualify for any retroactive pay due for days worked during the retroactive period.*

Respectfully submitted,

SIDNEY L. BUCKWOLD,
Joint Chairman.



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Journals of the Senate

No. 161

Tuesday, 2nd March, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Carter,	Fournier	Langlois,	Petten,
Asselin,	Connolly	(<i>de Lanaudière</i>),	Lapointe,	Quart,
Austin,	(<i>Ottawa West</i>),	Fournier	Lefrançois,	Riley,
Basha,	Cook,	(<i>Restigouche-</i>	Macdonald,	Robichaud,
Beaubien,	Côté,	<i>Gloucester</i>),	Macnaughton,	Rowe,
Bélisle,	Croll,	Giguère,	McDonald,	Smith
Benidickson,	Denis,	Goldenberg,	McElman,	(<i>Colchester</i>),
Bonnell,	Desruisseaux,	Graham,	McGrand,	Smith
Bourget,	Duggan,	Hastings,	Michaud,	(<i>Queens-</i>
Buckwold,	Flynn,	Lafond,	Norrie,	<i>Shelburne</i>),
Burchill,	Forsey,	Laird,	Paterson,	Stanbury,
Cameron,		Lamontagne,	Perrault,	Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, February 25, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Blais and Francis have been substituted for those of Messrs. Collenette and Marceau on the list of Members appointed to serve on the Special Joint Committee on Employer-Employee Relations in the Public Service.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-85, intituled: "An Act respecting immigration security", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of Information Canada for the fiscal year ended March 31, 1975.

Report of the Superintendent of Insurance for Canada, Volume III, Annual Statements of Life Insurance Companies and Fraternal Benefit Societies, for the year ended December 31, 1974, pursuant to section 8 of the *Department of Insurance Act*, Chapter I-17, R.S.C., 1970.

Copies of Fact Sheets on New Energy Conservation Measures, issued by the Department of Energy, Mines and Resources on February 25, 1976, together with Press Release thereon.

Lists of shareholders in the Chartered Banks of Canada as at the end of the financial years ended in 1975, pursuant to section 119(1) of the *Bank Act*, Chapter B-1, R.S.C., 1970.

List of shareholders in the Montreal City and District Savings Bank as at October 31, 1975, pursuant to section 101(1) of the *Quebec Savings Banks Act*, Chapter B-4, R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Yuzyk:

That this House supports the Canadian Government's position that, as expressed in the House of Commons on December 2, 1975, by the Secretary of State for External Affairs, the Final Act of the Conference on Security and Cooperation in Europe signed at Helsinki, in no way confirms the territorial status quo in Europe, and that in particular the status of Estonia, Latvia and Lithuania, as it is at present recognized by Canada, has in no way been altered thereby.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until Tuesday next, 9th March, 1976.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the

Senate and deductions to be made from the sessional allowance",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Fournier (*Restigouche-Gloucester*) resumed the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-85, intituled: "An Act respecting immigration security", be read the second time.

After debate,

The Honourable Senator Smith (*Colchester*) moved, seconded by the Honourable Senator Asselin, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate directed that the following item be reinstated on the Orders of the Day and that it do stand in the name of the Honourable Senator Riley:—

11th February—Resuming the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick.

The Honourable Senator Desruisseaux called the attention of the Senate to the 1974 edition of the *Canada Year Book*.

Debated.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 162

Wednesday, 3rd March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Giguère,	Lefrançois,	Perrault,
Asselin,	Croll,	Godfrey,	Macdonald,	Petten,
Austin,	Davey,	Goldenberg,	Macnaughton,	Quart,
Basha,	Denis,	Graham,	McDonald,	Riley,
Beaubien,	Deschatelets,	Grosart,	McElman,	Robichaud,
Bélisle,	Desruisseaux,	Hastings,	McGrand,	Rowe,
Benidickson,	Duggan,	Hayden,	McIlraith,	Smith
Bonnell,	Flynn,	Lafond,	McNamara,	(Colchester),
Bourget,	Forsey,	Laird,	Michaud,	Smith (Queens-
Buckwold,	Fournier	Lamontagne,	Molgat,	Shelburne),
Burchill,	(de Lanaudière),	Lang,	Neiman,	Stanbury,
Cameron,	Fournier	Langlois,	Norrie,	Walker,
Carter,	(Restigouche-	Lapointe,	Paterson,	Yuzyk.
Connolly	Gloucester),			
(Ottawa West),				

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Supplementary Estimates (B) for the fiscal year ending March 31, 1976.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (B) laid before Parliament for the fiscal year ending the 31st March, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-85, intituled: "An Act respecting immigration security".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be referred to the Standing Senate Committee on Foreign Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Davey moved, seconded by the Honourable Senator

Lang, that the Bill C-58, intituled: "An Act to amend the Income Tax Act", be read the second time.

After debate,

The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Connolly, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 163

Thursday, 4th March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,

Connolly
(Ottawa West),
Cook,
Côté,
Croll,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Flynn,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hastings,
Hayden,
Lafond,
Laird,
Lamontagne,
Lang,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Neiman,
Norrie,

Perrault,
Petten,
Quart,
Riley,
Robichaud,
Rowe,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Stanbury,
Walker,
Yuzyk.

PRAYERS.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 9th March, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Cook resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator McDonald for the Honourable Senator Hayden moved, seconded by the Honourable Senator Buckwold, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until Wednesday, 17th March, 1976.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird,

seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Molgat resumed the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report upon the subject-matter of the Bill C-83, intituled: "An Act for the better protection of Canadian society against perpetrators of violent and other crime", in advance of the said Bill coming before the Senate, or any matter relating thereto; and

That the Committee have power to engage the services of such counsel, staff and technical advisers as may be necessary for the purpose of the said examination.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 164

Tuesday, 9th March, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Austin,
Basha,
Beaubien,
Bélisle,
Bell,
Benidickson,
Bonnell,
Bourget,
Burchill,
Carter,
Connolly
(Ottawa West),
Cook,

Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Everett,
Flynn,
Forsey,
Fournier
(Restigouche-
Gloucester),

Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,

Lapointe,
Lefrançois,
Lucier,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Neiman,
Paterson,

Perrault,
Quart,
Riel,
Robichaud,
Rowe,
Smith
(Colchester),
Smith
(Queens-
Shelburne),
Sparrow,
Stanbury,
van Roggen,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by one of the Clerks at the Table with a Bill C-86, intituled: "An Act to amend the Veterans Insurance Act and the Returned Soldiers' Insurance Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 11th March, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of a bibliography on source materials relating to Bills C-83 and C-84, issued by the Department of Justice.

Report of operations under the *Fisheries Development Act* for the fiscal year ended March 31, 1975, pursuant to section 10 of the said Act, Chapter F-21, R.S.C., 1970.

Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1973, pursuant to section 18(1) of the said Act, Chapter C-31, R.S.C., 1970.

Copies of Order in Council P.C. 1976-302, dated February 17, 1976, amending the Bankruptcy Rules made by Order in Council P.C. 1954-1976, dated December 16, 1954, as amended, pursuant to section 180(2) of the *Bankruptcy Act*, Chapter B-3, R.S.C., 1970.

Copies of Recommendations, dated February 26, 1976, of the Anti-Inflation Board regarding suppliers in the construction, grain handling, longshoring, shipping and trucking industries who bargain collectively, together with a paper entitled: "Application of Guidelines to Suppliers who engage in Association Bargaining".

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting tomorrow, Wednesday, 10th March, 1976, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator van Roggen moved, seconded by the Honourable Senator Stanbury, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the

Senate and deductions to be made from the sessional allowance",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 165

Wednesday, 10th March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Basha,
Beaubien,
Bélisle,
Bell,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Carter,
Connolly
(Ottawa West),
Cook,
Côté,

Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hastings,
Hayden,
Hays,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,

Lapointe,
Lefrançois,
Lucier,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Neiman,
Paterson,

Perrault,
Quart,
Riel,
Robichaud,
Rowe,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Stanbury,
van Roggen,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on operations under the *Regional Development Incentives Act* for the month of November 1975, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-32, intituled: "An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Lang moved, seconded by the Honourable Senator Paterson, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act", reported that it had examined the said Bill and had directed him to report the same to the Senate with certain amendments.

The amendments were then read by the Clerk Assistant as follows:—

1. Page 21: Strike out lines 31 to 34 of the French version and substitute therefor the following:

"301.1 (1) Quiconque
a) vole une carte de crédit,"

2. Page 21: Strike out line 36 of the French version and substitute the following:

"que une fausse,"

3. Page 22: Strike out line 2 of the French version and substitute therefor the following:

"mise, ou"

4. Page 22: Strike out lines 1 and 2 and substitute therefor the following:

"is guilty of

(e) an indictable offence and is liable to imprisonment for ten years; or

(f) an offence punishable on summary conviction."

5. Page 27: Strike out lines 11 to 13 of the French version and substitute therefor the following:

"431.1 (1) Nonobstant la présente loi, lorsqu'un prévenu, inculpé conjointement ou non, s'esquive au cours de son procès,"

6. Page 27: Strike out line 31 of the French version and substitute therefor the following:

"prévenu du fait qu'il s'est esquivé."

7. Page 27: Strike out lines 39 and 40 of the French version and substitute therefor the following:

"(4) Lorsque le prévenu qui s'est esquivé au cours de son procès ne comparait pas, alors que son procès se poursuit, son avocat"

8. Page 42: Strike out the heading immediately following line 22 of the French version and substitute therefor the following:

"«Prévenu qui s'esquive»"

9. Page 42: Strike out lines 23 to 26 of the French version and substitute therefor the following:

"471.1 (1) Nonobstant la présente loi, lorsqu'un prévenu, inculpé conjointement ou non, s'esquive au cours de l'enquête préliminaire,"

10. Page 43: Strike out line 4 of the French version and substitute therefor the following:

"prévenu du fait qu'il s'est esquivé."

11. Page 46: Strike out line 28 of the English version and substitute therefor the following:

"that there was a legitimate excuse for his"

12. Page 63: Strike out line 23 of the French version and substitute therefor the following:

"sent article, la présente loi ou tout article de la présente loi entre en vigueur à"

The Honourable Senator Goldenberg moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the name of the Honourable Senator Smith (*Colchester*) be substituted for that of the Honourable Senator Asselin on the list of Senators serving on the Standing Senate Committee on Foreign Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Smith (*Colchester*), moved, seconded by the Honourable Senator Quart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 166

Thursday, 11th March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lamontagne,	Neiman,
Austin,	Côté,	(<i>Restigouche-</i>	Lang,	Perrault,
Basha,	Cottreau,	<i>Gloucester</i>),	Langlois,	Quart,
Beaubien,	Davey,	Giguère,	Lapointe,	Robichaud,
Bélisle,	Denis,	Godfrey,	Lefrançois,	Rowe,
Bell,	Deschatelets,	Goldenberg,	Lucier,	Smith
Benidickson,	Desruisseaux,	Graham,	Macdonald,	(<i>Colchester</i>),
Bonnell,	Duggan,	Grosart,	Manning,	Smith (<i>Queens-</i>
Bourget,	Everett,	Haig,	McElman,	<i>Shelburne</i>),
Buckwold,	Flynn,	Hastings,	McGrand,	Sparrow,
Carter,	Forsey,	Hayden,	McIlraith,	Stanbury,
Connolly	Fournier	Lafond,	McNamara,	van Roggen,
(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Laird,	Michaud,	Williams,
				Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of Energy, Mines and Resources for the fiscal year ended March 31, 1975, pursuant to section 5 of the *Department of Energy, Mines and Resources Act*, Chapter E-6, R.S.C., 1970.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science to which was referred the Bill S-31, intituled: "An Act to amend the Quarantine Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator McGrand moved, seconded by the Honourable Senator Basha, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator van Roggen from the Standing Senate Committee on Foreign Affairs to which was referred the Bill C-85, intituled: "An Act respecting immigration security", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That the Joint Communique issued following the visit of a Mexican Parliamentary delegation to Canada from 3rd to 11th February, 1976, be printed as an Appendix to the Debates of the Senate of this day.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 15th March, 1976, at eight o'clock in the evening.

After debate,

With leave of the Senate and pursuant to Rule 23, the motion was modified by striking out "Monday next, 15th" and substituting therefor "Tuesday next, 16th".

The question being put on the motion, as modified, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Everett moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that the Bill S-32, intituled: "An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Lafond for the Honourable Senator Laird, moved, seconded by the Honourable Senator Forsey, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Goldenberg, that the Bill C-86, intituled: "An Act to amend the Veterans Insurance Act and the Returned Soldiers' Insurance Act", be read the second time.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Flynn, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act".

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill, as amended, be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene,

P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 167

Tuesday, 16th March, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,	Côté,	Godfrey,	Lefrançois,	Perrault,
Barrow,	Cottreau,	Goldenberg,	Lucier,	Riel,
Basha,	Croll,	Graham,	Macdonald,	Riley,
Beaubien,	Davey,	Grosart,	Macnaughton,	Robichaud,
Bélisle,	Denis,	Haig,	Manning,	Rowe,
Benidickson,	Deschatelets,	Hastings,	McElman,	Smith
Blois,	Desruisseaux,	Hayden,	McGrand,	(Colchester),
Bonnell,	Everett,	Hays,	McIlraith,	Smith
Bourget,	Flynn,	Lafond,	McNamara,	(Queens-
Buckwold,	Forsey,	Laird,	Michaud,	Shelburne),
Carter,	Fournier	Lamontagne,	Molson,	Sparrow,
Connolly	(Restigouche-	Lang,	Neiman,	Stanbury,
(Ottawa West),	Gloucester),	Langlois,	Norrie,	van Roggen,
Cook,	Giguère,	Lapointe,	Paterson,	Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of a contract between the Government of Canada and the Municipality of Boissevain, Manitoba, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970. (English text).

Report of the Bureau of Intellectual Property, Department of Consumer and Corporate Affairs, for the fiscal year ended March 31, 1975, including the report, pursuant to section 27 of the *Patent Act*, Chapter P-4, R.S.C., 1970, of proceedings under that Act for the fiscal year ended March 31, 1975.

Copies of Order in Council P.C. 1976-387, dated February 26, 1976, amending Part II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Report of exemptions authorized by the Minister of Transport under section 134 of the *Canada Shipping Act* in cases where no master or officer was available with required certificate and experience, for the year ended December 31, 1975, pursuant to section 134(2) of the said Act, Chapter S-9, R.S.C., 1970.

Report of operations under the *Farm Improvement Loans Act* for the year ended December 31, 1974, pursuant to section 13 of the said Act, Chapter F-3, R.S.C., 1970.

Report of operations under the *Fisheries Improvement Loans Act* for the fiscal year ended March 31, 1975, pursuant to section 12(2) of the said Act, Chapter F-22, R.S.C., 1970.

Report on the administration of the *Small Businesses Loans Act* for the year ended December 31, 1974, pursuant to section 11 of the said Act, Chapter S-10, R.S.C., 1970.

Copies of a Memorandum of Agreement made March 10, 1976, between the Government of Canada and the Government of the Province of Quebec relating to the Anti-Inflation Program, together with copies of a Communiqué thereon issued by the Department of Finance.

Pursuant to the Order of the Day, the Honourable Senator McGrand moved, seconded by the Honourable Senator Lucier, that the Bill S-31, intituled: "An Act to amend the Quarantine Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-85, intituled: "An Act respecting immigration security", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill, without amendment.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act", be read the third time, as amended.

After debate,

In amendment, the Honourable Senator Smith (Colchester) moved, seconded by the Honourable Senator Haig, that the Bill, as amended, be not now read the third time but that it be further amended as follows:—

Delete clause 9 and renumber the following clauses accordingly.

After debate,

In amendment, the Honourable Senator Rowe moved, seconded by the Honourable Senator Norrie, that the motion in amendment of the Honourable Senator Smith (Colchester), seconded by the Honourable Senator Haig, be not now adopted, but that the Bill, as amended, be referred back to the Standing Senate Committee on Legal and Constitutional Affairs for further consideration.

After debate, and

The question being put on the motion in amendment of the Honourable Senator Rowe, seconded by the Honourable Senator Norrie, to the motion in amendment,

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Bélisle	Macdonald
Blois	Neiman
Flynn	Norrie
Forsey	Rowe
Godfrey	Smith (Colchester)
Grosart	Yuzyk—13
Lang	

NAYS

The Honourable Senators

Austin	Lafond
Barrow	Laird
Basha	Langlois
Bonnell	Lefrançois
Bourget	Lucier
Buckwold	McElman
Carter	McIlraith
Cook	Molson
Cottreau	Perrault
Denis	Stanbury—21
Goldenberg	

So it was resolved in the negative.

The question being put on the motion in amendment, it was—

Resolved in the negative, on division.

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the third reading of the Bill as amended be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Goldenberg, for the second reading of the Bill C-86, intituled: "An Act to amend the Veterans Insurance Act and the Returned Soldiers' Insurance Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to

amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Flynn, P.C., called the attention of the Senate to the visit of a Mexican Parliamentary delegation to Canada from 3rd to 11th February, 1976.

Debated.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 168

Wednesday, 17th March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,	Côté,	Godfrey,	Lefrançois,	Paterson,
Barrow,	Cottreau,	Goldenberg,	Lucier,	Perrault,
Basha,	Croll,	Graham,	Macdonald,	Quart,
Beaubien,	Davey,	Grosart,	Macnaughton,	Riel,
Bélisle,	Denis,	Haig,	Manning,	Riley,
Benidickson,	Deschatelets,	Hastings,	McElman,	Robichaud,
Blois,	Desruisseaux,	Hayden,	McGrand,	Smith
Bonnell,	Duggan,	Hays,	McIlraith,	(Colchester),
Bourget,	Everett,	Lafond,	McNamara,	Smith (Queens-
Buckwold,	Flynn,	Laird,	Michaud,	Shelburne),
Cameron,	Forsey,	Lamontagne,	Molgat,	Sparrow,
Carter,	Fournier	Lang,	Molson,	Stanbury,
Connolly	(Restigouche-	Langlois,	Neiman,	van Roggen,
(Ottawa West),	Gloucester),	Lapointe,	Norrie,	Yuzyk.
Cook,	Giguère,			

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the operations of the *Shipping Conferences Exemption Act* for the year ended December 31, 1975, pursuant to section 12 of the said Act, Chapter 39 (1st Supplement), R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the name of the Honourable Senator Asselin be substituted for that of the Honourable Senator Smith (*Colchester*) on the list of Senators serving on the Standing Senate Committee on Foreign Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Haig:

That the name of the Honourable Senator Bélisle be substituted for that of the Honourable Senator O'Leary on the list of Senators serving on the Standing Joint Committee on the Restaurant of Parliament; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the third reading of the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act", as amended.

After debate,

In amendment, the Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Macdonald, that the Bill, as amended, be not now read the third time but that it be further amended by deleting clause 75 thereof and renumbering the following clauses accordingly.

After debate, and—

The question being put on the motion, in amendment, it was—

Resolved in the negative, on division.

The question being put on the motion of the Honourable Senator Langlois, seconded by the Honourable Sen-

ator Perrault, P.C., for the third reading of the Bill, as amended, it was—

Resolved in the affirmative.

The Bill, as amended, was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill with certain amendments to which they desire their concurrence.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Lafond for the Honourable Senator Lang, moved, seconded by the Honourable Senator Fournier (*Restigouche-Gloucester*), that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Goldenberg, for the second reading of the Bill C-86, intituled: "An Act to amend the Veterans Insurance Act and the Returned Soldiers' Insurance Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Carter moved, seconded by the Honourable Senator Molgat, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until Tuesday, 6th April, 1976.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance".

After debate,

In amendment, the Honourable Senator Côté, P.C., moved, seconded by the Honourable Senator Robichaud,

P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard.

After debate,

The Honourable Senator Robichaud, P.C., moved, seconded by the Honourable Senator Molgat, that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Wednesday, 31st March, 1976.

With leave,

The Senate reverted to Presentation of Petitions.

The following petition was presented:—

By the Honourable Senator Molgat:

Of United Grain Growers Limited, of the City of Winnipeg, in the Province of Manitoba; praying for the passing of an Act amending its Act of incorporation empowering it to increase its capital stock to \$25,000,000.00 and declare additional dividends in respect of Class "A" shares.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Croll,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 169

Thursday, 18th March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,	Cottreau,	Goldenberg,	Lucier,	Riel,
Basha,	Croll,	Graham,	Macdonald,	Riley,
Beaubien,	Davey,	Grosart,	McElman,	Robichaud,
Bélisle,	Denis,	Haig,	McGrand,	Rowe,
Benidickson,	Duggan,	Hastings,	McIlraith,	Smith
Bonnell,	Everett,	Hayden,	McNamara,	(Colchester),
Bourget,	Flynn,	Hays,	Michaud,	Smith (Queens-
Buckwold,	Forsey,	Lafond,	Molgat,	Shelburne),
Carter,	Fournier	Laird,	Molson,	Sparrow,
Connolly	(Restigouche-	Lamontagne,	Neiman,	Stanbury,
(Ottawa West),	Gloucester),	Lang,	Norrie,	van Roggen,
Cook,	Giguère,	Lapointe,	Perrault,	Yuzyk.
Côté,	Godfrey,	LeFrançois,	Quart,	

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, March 16, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the names of Messrs. Oberle and Darling have been substituted for those of Messrs. Macquarrie and Bawden on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

The following petition was read and received:—

Of United Grain Growers Limited, of the City of Winnipeg, in the Province of Manitoba; praying for the passing of an Act amending its Act of incorporation empowering it to increase its capital stock to \$25,000,000.00 and declare additional dividends in respect of Class "A" shares.

The Clerk of the Senate laid on the Table the tenth report of the Acting Examiner of Petitions for Private Bills, as follows:—

THURSDAY, March 18, 1976.

Pursuant to Rule 87(2), the Examiner of Petitions for Private Bills has the honour to present the following as his tenth report:

Your Examiner has duly examined the following petition and finds that the requirements of the Rules of the Senate have been complied with in all material respects:—

Of United Grain Growers Limited, of the City of Winnipeg, in the Province of Manitoba; praying for the passing of an Act amending its Act of incorporation empowering it to increase its capital stock to \$25,000,000.00 and declare additional dividends in respect of Class "A" shares.

R. L. du PLESSIS,
Acting Examiner of Petitions for Private Bills.

The Honourable Senator Molgat presented to the Senate a Bill S-33, intituled: "An Act respecting United Grain Growers Limited".

The Bill was read the first time.

The Honourable Senator Molgat moved, seconded by the Honourable Senator Goldenberg, that the Bill be

placed on the Orders of the Day for a second reading on Monday next, 22nd March, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator McIlraith, P.C., for the Honourable Senator Deschatelets, P.C., from the Special Joint Committee on the National Capital Region presented its Second Report as follows:—

THURSDAY, March 18, 1976.

The Special Joint Committee of the Senate and of the House of Commons on the National Capital Region has the honour to present its Second Report, as follows:

Your Committee recommends that it be authorized to retain the services of advisors and such additional professional, stenographic and clerical staff as is required during the Committee's consideration and review of matters bearing upon the development of the National Capital Region.

Respectfully submitted,

JEAN-PAUL DESCHATELETS,
Joint Chairman.

With leave of the Senate,
The Honourable Senator McIlraith, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that the Report be adopted now.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Benidickson, P.C.:

That the names of the Honourable Senators Austin and Lafond be added to the list of Senators serving on the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Lafond:

That when the Senate adjourns today, it do stand adjourned until Monday next, 22nd March, 1976, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Bill C-86, intituled: "An Act to amend the Veterans Insurance Act and the Returned Soldiers' Insurance Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard.

After debate,

The Honourable Senator Lafond moved, seconded by the Honourable Senator Fournier (*Restigouche-Gloucester*), that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Lafond,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 170

Monday, 22nd March, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cottreau,	Goldenberg,	McDonald,	Riel,
Austin,	Croll,	Graham,	McElman,	Riley,
Barrow,	Denis,	Grosart,	McGrand,	Robichaud,
Basha,	Deschatelets,	Hastings,	McIlraith,	Rowe,
Beaubien,	Duggan,	Hayden,	McNamara,	Smith
Bélisle,	Flynn,	Lafond,	Michaud,	(Colchester),
Benidickson,	Forsey,	Laird,	Molgat,	Smith
Bourget,	Fournier	Lamontagne,	Neiman,	(Queens-
Buckwold,	(de Lanaudière),	Langlois,	Norrie,	Shelburne),
Carter,	Fournier	Lapointe,	Paterson,	Sparrow,
Connolly	(Restigouche-	Lucier,	Perrault,	Stanbury,
(Ottawa West),	Gloucester),	Macdonald,	Phillips,	Yuzyk.
Cook,	Giguère,	Macnaughton,		

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Governor of the Bank of Canada, including statement of accounts certified by the auditors, for the year ended December 31, 1975, pursuant to section 26(3) of the *Bank of Canada Act*, Chapter B-2, R.S.C., 1970.

Report of the Department of the Solicitor General for the fiscal year ended March 31, 1975, pursuant to section 5 of the *Department of the Solicitor General Act*, Chapter S-12, R.S.C., 1970.

Copies of Report of the Commission of Inquiry relating to public complaints, internal discipline and grievance procedure within the Royal Canadian Mounted Police, dated January 16, 1976 (His Honour Judge René J. Marin, Chairman), established under the authority of the Solicitor General of Canada, pursuant to Order in Council P.C. 1974-1338 as amended by Order in Council P.C. 1974-2415.

Copies of "Statistical Handbook—Selected Aspects of Criminal Justice", dated March 8, 1976, issued by the Department of the Solicitor General.

Copies of Questions and Answers relating to the Capital Punishment Issue, dated March 1976, prepared by the Department of the Solicitor General.

Copies of Statistics relating to the Gun Control Question, dated March 1976, issued by the Department of the Solicitor General.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Tuesday, 23rd March, 1976, at eight o'clock in the evening.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Molgat moved, seconded by the Honourable Senator Carter, that the Bill S-33, intituled: "An Act respecting United Grain Growers Limited", be read the second time.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until Wednesday next, 24th March, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator McIlraith, P.C., resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Lafond moved, seconded by the Honourable Senator Forsey, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruis-

seaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 171

Tuesday, 23rd March, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Connolly	Fournier	Lapointe,	Paterson,
Austin,	(Ottawa West),	(de Lanaudière),	Lefrançois,	Perrault,
Barrow,	Cook,	Giguère,	Lucier,	Petten,
Basha,	Côté,	Godfrey,	Macdonald,	Riley,
Beaubien,	Cottreau,	Goldenberg,	Manning,	Rowe,
Bélisle,	Croll,	Graham,	McElman,	Smith
Bell,	Davey,	Grosart,	McGrand,	(Colchester),
Benidickson,	Denis,	Hastings,	McIlraith,	Smith
Bonnell,	Desruisseaux,	Hayden,	McNamara,	(Queens-
Bourget,	Duggan,	Lafond,	Michaud,	Shelburne),
Buckwold,	Eudes,	Laird,	Molgat,	Sparrow,
Cameron,	Flynn,	Lamontagne,	Neiman,	Stanbury,
Carter,	Forsey,	Langlois,	Norrie,	van Roggen,
				Yuzk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the administration of the *Members of Parliament Retiring Allowance Act* for the fiscal year ended March 31, 1975, pursuant to section 35 of the said Act, Chapter 25 (1st Supplement), R.S.C., 1970.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Manning, P.C., resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator McElman moved, seconded by the Honourable Senator Cottreau, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings

of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Carter, that further debate on the motion, in amendment, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 172

Wednesday, 24th March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Connolly	Forsey,	Lefrançois,	Perrault,
Austin,	(Ottawa West),	Giguère,	Lucier,	Petten,
Barrow,	Cook,	Godfrey,	Macdonald,	Phillips,
Basha,	Côté,	Goldenberg,	Macnaughton,	Quart,
Beaubien,	Cottreau,	Graham,	Manning,	Riley,
Bélisle,	Croll,	Grosart,	McElman,	Rowe,
Bell,	Davey,	Hastings,	McGrand,	Smith
Benidickson,	Denis,	Hayden,	McIlraith,	(Colchester),
Bonnell,	Deschatelets,	Lafond,	McNamara,	Smith (Queens-
Bourget,	Desruisseaux,	Laird,	Michaud,	Shelburne),
Buckwold,	Duggan,	Lamontagne,	Neiman,	Sparrow,
Cameron,	Eudes,	Langlois,	Norrie,	Stanbury,
Carter,	Flynn,	Lapointe,	Paterson,	van Roggen,
				Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Canadian Transport Commission for the year ended December 31, 1975, pursuant to section 28(2) of the *National Transportation Act*, Chapter N-17, R.S.C., 1970.

Report of the Ministry of State for Science and Technology for the fiscal year ended March 31, 1975, pursuant to section 22 of the *Ministries and Ministers of State Act*, Part IV of Chapter 42, Statutes of Canada, 1970-71-72.

Lists of Census Commissioners appointed as of March 17, 1976, for the 1976 Census of Canada.

The Honourable Senator Sparrow, Deputy Chairman, from the Standing Senate Committee on National Finance which was authorized to examine and report upon the expenditures set out in the Supplementary Estimates (B) laid before Parliament for the fiscal year ending the 31st March, 1976, presented to the Senate the Report of the said Committee on the said Supplementary Estimates (B).

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 790-795).

The Honourable Senator Sparrow moved, seconded by the Honourable Senator Godfrey, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Rowe moved, seconded by the Honourable Senator Norrie, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Molgat, seconded by the Honourable Senator Carter, for the second reading of the Bill S-33, intituled: "An Act respecting United Grain Growers Limited".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Petten moved, seconded by the Honourable Senator Côté, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruis-

seaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Croll being called,

It was—

Ordered, That it be postponed until Tuesday next, 30th March, 1976.

An inquiry standing in the name of the Honourable Senator Desruisseaux being called,

It was—

Ordered, That it be postponed until Tuesday next, 30th March, 1976.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Hayden,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 788)

Wednesday, March 24, 1976.

The Standing Senate Committee on National Finance to which the Supplementary Estimates (B) laid before Parliament for the fiscal year ending the 31st of March 1976 were referred, has in obedience to the order of reference of Wednesday, March 3rd, 1976 examined the said Estimates and reports as follows:

1. In obedience to the foregoing, the Committee made a general examination of Supplementary Estimates (B) and heard evidence from the Honourable J. Chrétien, President of Treasury Board, Mr. B. A. MacDonald, Deputy Secretary and Mr. R. L. Richardson, Assistant Secretary, Program Branch, Treasury Board.

2. Through these Supplementary Estimates (B) \$921 million in adjustments will be added to the costs of existing programs and some accounting adjustments will be made. This sum added to the Supplementary Estimates (A), \$1,751 million and the Main Estimates, \$29,585 million bring the total Estimates for the fiscal year ending March 31st, 1976 to \$32,257 million. The Committee notes that the original Main Estimates have therefore been increased through Supplementary Estimates (A) and (B) by a total of \$2,672 million, that is by 9 per cent. Although this percentage increase is considerably less than the 21 per cent increase added through Supplementaries to the Main Estimates for 1974-75, the Committee continues to be concerned by the size of the Supplementary Estimates in relation to the Main Estimates. This has been consistently high for some years as shown by the following table.

PERCENTAGE INCREASE OF SUPPLEMENTARY
ESTIMATES IN RELATION TO THE MAIN ESTIMATES

(millions of dollars)

Fiscal Year	Main Estimates	Supplemen- tary Estimates	Percentage Increase
1969-70	12,467	349	2.8%
1970-71	13,752	930	6.8%
1971-72	15,341	1,306	8.5%
1972-73	16,539	1,726	10.4%
1973-74	19,287	2,125	11.0%
1974-75	23,297	4,936	21.0%
1975-76	29,585	2,672	9.0%

The Committee accepted assurances from the President of the Treasury Board that he shares the Committee's concern, that he has already set an upward limit of \$1,500 million as a target for the allocation of funds through Supplementary Estimates in the next fiscal year, 1976-77.

3. The President of the Treasury Board described the negotiations with departments through which the increase in total expenditures for 1975-76 over 1974-75 have been held to 16 per cent. It is his intention to at least maintain, and if possible to further reduce the percentage level of increase in future years. The effect of this action forces government departments to take a hard look at the priorities of their existing programs. The Committee approves of this restraint action. It suggests that consideration be given to the requirement by the Treasury Board that departments catalogue all their programs and rank them in order of priority on the basis of real usefulness, that when new programs are proposed they be provided for, whenever possible, by a readjustment of priorities. The Committee considers that in spite of undoubted difficulty in persuading departments to make such assessment, continued pressure on them to do so is desirable.

4. Turning specifically to Supplementary Estimates (B) the larger items are as follows:

- (a) Payments in connection with the Two-Price Wheat Program which is intended to keep the price of bread down \$186 million
- (b) Public Debt Charges \$155 million
- (c) Payment to the Old Age Security Fund to cover the final deficit which is due mostly to indexing \$114 million
- (d) Various fiscal transfers to the provinces \$113 million
- (e) Payments to the provinces to cover the federal share under provincial welfare plans \$107 million
- (f) Payment to compensate the railways for operating unprofitable services to the public \$40 million
- (g) Payment to the Canadian National Railway for the deficit arising in the calendar year 1975 in respect of the Canadian National Railway System \$35 million
- (h) To set up a drawing account for temporary advances in the operation of the National Defence Program \$26 million
- (i) Payment of the federal share of the provinces' university education costs \$24 million
- (j) An amount to provide for forgiveness of an old loan to Romania \$23 million
- (k) Payments for price support to farmers \$22 million

5. The Committee discussed the criteria for the forgiveness of the \$23 million loan to Romania which dates from World War I and other similar loans with the Deputy Secretary of the Treasury Board. It was told that there are

no established criteria for dealing with long outstanding loans, that an active and continuous attempt is made to recover them. When the best possible agreement is reached the remainder is put forward to Parliament to be written off. In effect a receivable is reclassified as a bad debt and dealt with.

6. The Treasury Board supplied the Committee with a list explaining forty-five \$1 items in the Supplementary Estimates (B). This list is attached as Appendix (A) to this report.

7. As in the past the Committee was disturbed by one aspect of these \$1 items. A substantial number of them authorize the provision of funds for unanticipated operating expenses through the deferral of capital projects. It is always preferable that the funds required be met by transfer within the authorized vote. As already pointed out, this forces departments to look after their essential programs. The Committee objects to the deferment of capital projects in this manner because most of them will eventually be proceeded with and will then require a substantially increased total expenditure due to the continued rise in construction costs. The Committee had similar objections to the authorization through \$1 items of the use of funds provided for grants and contributions. Many of these grants also relate to construction projects.

Respectfully submitted.

H. Sparrow,
Deputy Chairman.

(Appendix A to report)

EXPLANATION OF ONE DOLLAR ITEMS IN SUPPLEMENTARY ESTIMATES (B), 1975-76

SUMMARY

The one dollar items included in these Estimates have been grouped in the attached schedules according to purpose.

- A. One Dollar items which authorize transfers from one vote to another—27 items.
- B. One Dollar items which authorize the payment of grants—9 items.
- C. One Dollar items which authorize the deletion of debts due the Crown—4 items.
- D. One Dollar items which authorize financial guarantees—1 item.
- E. One Dollar items which amend the legislative provisions of previous appropriation acts—3 items.
- F. One Dollar items which amend acts other than appropriation acts—1 item.

March 2, 1976
Estimates Division

SCHEDULE A

ONE DOLLAR ITEMS WHICH AUTHORIZE TRANSFERS FROM ONE VOTE TO ANOTHER—27 ITEMS.

AGRICULTURE—CANADIAN DAIRY COMMISSION

Vote 50b—To authorize a transfer to this Vote of \$59,999.

Explanation—Additional funds are requested to cover increased costs for rent and communications; to pro-

vide for costs being incurred to support Canadian initiatives in promoting the sale of Canadian cheese in the European Common Market and to provide for certain building modifications.

Source of Funds—Vote 1—(\$59,999)—Funds are available as the result of lower than estimated administration charges for the Land Transfer function of the Small Farm Development Program.

EXTERNAL AFFAIRS

Vote 1b—To authorize a transfer to this Vote of \$2,685,999.

Explanation—Additional funds are required to:

- (1) provide for a shortage of \$2,039,000 resulting from foreign currency revaluations and increased inflation rates abroad;
- (2) cover tenant service costs (\$461,000) for the headquarters building in Ottawa and for accommodation in Britain; and
- (3) meet operating costs (\$186,000) of the long range accommodation program of the Department.

Vote 20b—To authorize a transfer to this Vote of \$200,999.

Explanation—Additional funds are required to cover increased costs of Canada's participation in the 1975 Okinawa International Ocean Exposition, resulting from unforeseen expenses on pavilion improvements and from the high rate of inflation in Japan.

Source of Funds—Vote 5—(\$2,886,998)—Funds are available due to a delay in the acquisition of a site for the new Chancery in Washington.

JUSTICE

Vote 1b—To authorize a transfer to this Vote of \$939,999.

Explanation—The additional funds will be used to:

- (1) provide for operating costs (\$430,000) of the Committee on the Operation of the Abortion Law;
- (2) cover the cost of tenant services (\$213,000) provided by the Department of Public Works;
- (3) meet the cost of the Inquiry into the crash of a Panarctic Oils Limited aircraft (\$100,000); and
- (4) provide for an increase in contractual costs (\$149,000) for the Judge's language training and for costs (\$48,000) incurred in the preparation of gun control legislation.

Source of Funds—Vote 10—(\$939,999)—Funds are available due to reductions in grants and contributions.

Vote 15b—To authorize a transfer to this Vote totalling \$253,999.

Explanation—The additional funds will be used mainly to:

- (1) provide for the increased costs (\$172,000) incurred in printing of the Supreme Court of Canada reports; and
- (2) assist with the cost (\$72,000) of a symposium to celebrate the Centenary of the Supreme Court of Canada which was held last September.

Source of Funds—

Vote 10—(\$57,999)—Funds are available due to reductions in grants and contributions.

Vote 20—(\$162,000)—Funds are available as the result of provincial charges for use of staff and facilities being less than expected.

Vote 30—(\$34,000)—Funds are available from the Tax Review Board because expenditures will be less than expected.

Vote 25b—To authorize a transfer to this Vote totalling \$380,999.

Explanation—To provide mainly for the cost of completing and publishing the reports and other materials prepared during the initial phase of the Law Reform Commission.

Source of Funds—

Vote 5—(\$35,999)—Expenditures for investigation and research under the Canadian Judicial Council will be less than expected.

Vote 10—(\$211,000)—Funds are available due to reductions in grants and contributions.

Vote 30—(\$134,000)—Funds are available from the Tax Review Board because expenditures will be less than expected.

MANPOWER AND IMMIGRATION

Vote 1b—To authorize a transfer to this Vote of \$754,999.

Explanation—Additional funds are requested to cover increased program operating costs and for the cost of contract audit services provided by the Department of Supply and Services.

Vote 5b—To authorize a transfer to this Vote of \$10,866,999.

Explanation—Additional funds are requested for the purchase of occupational training from the provinces, (\$8,523,000), for the purchase of language training for Chilean and Vietnamese refugees (\$1,700,000) and for the Department's portion of the Federal Labour Intensive Projects Program (\$644,000)

Vote 20b—To authorize a transfer to this Vote of \$725,999.

Explanation—Additional funds are requested to cover the production costs of the publications Careers-Canada and Careers-Provinces which provide career and occupational guidance information to students and new entrants to the labour force.

Source of Funds—Vote 10—(\$12,347,997)—Canada Manpower Training Program allowance payments and other contributions will be less than originally forecast.

NATIONAL DEFENCE

Vote 5b—To authorize a transfer to this Vote of \$12,999,999.

Explanation—Additional funds are required to:

- (1) provide \$11,000,000 for 1975-76 expenditures on the Long Range Patrol Aircraft project which were not provided in Main Estimates; and
- (2) provide \$2,000,000 for the procurement of capital commodities required in support of the 1976 Olympics.

Source of Funds—Vote 1—(\$12,999,999)—Funds are available as the result of economies effected in operations and maintenance activities within the program.

NATIONAL HEALTH AND WELFARE

Vote 25b—To authorize a transfer to this Vote of \$699,999.

Explanation—To meet increased operating expenditures of the program for the balance of the current fiscal year.

Source of Funds—Vote 20—(\$699,999)—Revisions to two capital projects originally scheduled for construction in 1975-76 have forced deferment and have made funds available for this transfer.

PUBLIC WORKS

Vote 10b—To authorize a transfer to this Vote of \$4,699,999.

Explanation—To provide for the increased costs of managing properties and for escalation clauses in leases.

Vote 20b—To authorize a transfer to this Vote of \$999,999.

Explanation—Additional funds are required to meet costs incurred in carrying out essential maintenance projects such as wharf repairs at Baie-Comeau, Île-aux-Coudres and Tadoussac and maintenance dredging projects at Bathurst, Dalhousie and Saint John, N.B.

Vote 40b—To authorize a transfer to this Vote of \$999,999.

Explanation—To carry out emergency repairs to the New Westminster Railway Bridge which was damaged by a runaway barge.

Vote 45b—To authorize a transfer to this Vote of \$198,999

Explanation—Additional funds are required for operation and maintenance of properties at Moosonee, Ontario, transferred to the Department from the Department of National Defence.

Source of Funds—Vote 15—(\$6,898,996)—Funds are available due to unforeseen delays in construction projects.

SECRETARY OF STATE

Vote 15b—To authorize a transfer to this Vote of \$404,999.

Explanation—Additional funds are required to:

- (1) provide a further \$50,000 towards the cost of a study on the Canadian Film Industry.
- (2) to defray the cost of the visit of the Prince of Wales last April (\$265,000) and the cost of preparations for the Queen's visit to Canada during the July 1976 Olympics (\$90,000).

Source of Funds—Vote 20—(\$404,999)—Funds are available since all of the grants provided to construct, expand or improve facilities for the performing arts in Canada will not be used (\$354,999) nor will the proposed grant to Massey Hall be paid in this fiscal year.

SECRETARY OF STATE—COMPANY OF YOUNG CANADIANS

Vote 65b—To authorize a transfer to this Vote of \$619,999.

Explanation—Additional funds are required by the Company to meet closing-out costs such as four months severance pay to permanent employees in accordance with collective bargaining agreements and one month severance pay to volunteers.

Source of Funds—Vote 10—(\$619,999)—Funds are available since bilingualism contributions, summer language bursaries and assistance to associations of independent schools will be less than forecast.

SECRETARY OF STATE—NATIONAL MUSEUMS OF CANADA

Vote 90b—To authorize a transfer to this Vote of \$999,999.

Explanation—Additional funds are required to provide for the cost of 38 additional man-years for the Corporation's own security force and to finance the extension of the present contractual arrangement so as to ensure adequate protection while new officers are being trained.

Source of Funds—Vote 95—(\$999,999)—Funds are available because grants are no longer paid in advance of actual need.

SOLICITOR GENERAL

Vote 1b—To authorize a transfer to this Vote of \$499,999

Explanation—To provide for a Special Communications Unit, responsible for informing the public concerning the peace and security program of the government.

Source of Funds—Vote 10—(\$499,999)—Funds are available because of unforeseen delays in the Penitentiary Service construction program.

SOLICITOR GENERAL—CORRECTIONAL SERVICES

Vote 15b—To authorize a transfer to this Vote of \$130,999

Explanation—Additional funds are required for payments to Community Residential Centres and for the maintenance of day parolees.

Source of Funds—Vote 10—(\$130,999)—Funds are available because of unforeseen delays in the Penitentiary Service construction program.

TRANSPORT

Vote 1b—To authorize a transfer to this Vote of \$1,049,999

Explanation—Additional funds are required to cover the cost of the Inquiry into Air Canada's financial activities, organizational changes needed to further develop and implement the National Transportation Policy announced on June 16, 1975 and to cover the costs of increased services.

Source of Funds—Vote 45—(\$1,049,999)—Funds are available because of delays in construction of port and ferry terminal modification at Port-aux-Basques, Newfoundland.

Vote 10b—To authorize a transfer to this Vote of \$4,893,999

Explanation—Additional funds are required to:

- (1) provide for price increases (\$2,997,000) in petroleum products, fleet supplies and other standard commodity items;
- (2) provide for the cost (\$831,000) of unforeseen damage incurred by vessels engaged in icebreaking and search and rescue activities;
- (3) cover the cost (\$439,000) of a ports and harbours task force formed to recommend a new ports policy for Canada;
- (4) meet the cost (\$273,000) of tenant services formerly provided by the Department of Public Works;

(5) provide for the cost (\$191,000) of the annual price adjustment in connection with ice reconnaissance services contract; and

(6) cover the costs of other projects such as the Federal Labour Intensive Program (\$70,000) and the establishment of a Canadian marine communications station (\$93,000).

Source of Funds—Vote 15—(\$4,893,999)—Funds are available because of unforeseen delays in the construction program.

Vote 30b—To authorize a transfer to this Vote of \$849,999

Explanation—To provide additional contributions to various municipal airports in Canada to cover their operating deficits.

Source of Funds—Vote 20—(\$849,999)—Funds are available because additional Air Transportation Tax revenues and from savings in other items.

TRANSPORT—NATIONAL HARBOURS BOARD

Vote 92b—To authorize a transfer to this Vote of \$674,999

Explanation—Additional funds are required to meet cash operating deficits incurred in the calendar year 1975 at the ports of Churchill (\$600,000 mainly due to below average grain traffic) and Prince Rupert (\$75,000 due mainly to higher than expected maintenance costs in the operation of small craft facilities).

Source of Funds—Vote 90—(\$674,999)—Funds are available due to the deferral of a bridge repainting project until 1976.

URBAN AFFAIRS

Vote 1b—To authorize a transfer to this Vote of \$999,999

Explanation—Additional funds are required to complete the planning process and to conduct public activities at the Toronto Waterfront Park.

Source of Funds—Vote 5—(\$999,999)—Funds are available since grants and contributions will be less than expected.

URBAN AFFAIRS—CANADIAN HABITAT SECRETARIAT

Vote 40b—To authorize a transfer to this Vote of \$1,299,999

Explanation—Additional funds are required to cover increased costs for media facilities, communications, audio-visual and interpretation facilities.

Source of Funds—Vote 5—(\$1,299,999)—Funds are available since grants and contributions will be less than expected.

VETERANS AFFAIRS

Vote 45b—To authorize a transfer to this Vote of \$1,349,999 and to authorize the deletion of a debt for \$28,500.94

Explanation—The Standing Interdepartmental Committee on Uncollectable Debts has recommended the deletion of this debt which results from unpaid treatment costs. The debtor is deceased with no known estate.

Additional funds of \$1,349,999 are required to cover increased costs of treatment services.

Source of Funds—Vote 50—(\$1,349,999)—Funds are available due to the deferment of certain capital projects.

SCHEDULE B

ONE DOLLAR ITEMS WHICH AUTHORIZE THE PAYMENT OF GRANTS—9 ITEMS

CONSUMER AND CORPORATE AFFAIRS

Vote 25b—To authorize a grant of \$20,000.

Explanation—The grant to the World Intellectual Property Organization must be paid in Swiss francs. Because of fluctuating exchange rates, the \$100,000 provided for in Main Estimates is not sufficient.

Source of Funds—Vote 25—(\$19,999)—Operating expenditures were not as high as expected.

ENVIRONMENT

Vote 15b—To authorize grants totalling \$396,467.

Explanation—Additional funds are required:

- (1) To recoup the 1974-75 deficit in the Fisheries Prices Support Account (\$382,467); and
- (2) to provide for the payment of \$14,000 to a successful appellant who lost employment as result of the ban on whaling.

Source of Funds—Vote 15—(\$396,466)—Funds are available from the Program for Rehabilitation of Canadian Fisheries.

EXTERNAL AFFAIRS

Vote 10b—To authorize grants totalling \$745,000 and a transfer to this Vote of \$544,999.

Explanation—It is proposed to provide grants in lieu of taxes on diplomatic and consular properties in Canada.

Source of Funds—Vote 5—(\$544,999)—Funds are available due to a delay in the acquisition of a site for a new Chancery in Washington.

EXTERNAL AFFAIRS—CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Vote 30b—To authorize a grant of \$100,000.

Explanation—To provide additional funds to the International Institute for Tropical Agriculture to the higher operating costs in 1975.

Source of Funds—Vote 30—(\$99,999)—Funds are still available within allocations for multilateral grants.

LABOUR

Vote 1b—To authorize grants totalling \$70,000.

Explanation—To provide additional Adjustment Assistance Benefits to workers in the textile and clothing industries, because the number of claimants has increased and the benefit has been increased in consonance with the cost of living adjustments.

Source of Funds—Vote 1—(\$69,999)—Reorganization of the Department and resultant delays in staffing certain positions have freed resources.

PUBLIC WORKS

Vote 5b—To authorize a grant of \$7,500.

Explanation—to provide a grant of \$7,500 to the Canadian Association of Fire Chiefs. This grant matches an equal contribution from the Provinces and is to be applied to the operating costs of the Association.

Source of Funds—Vote 5—(\$7,499)—Restraint in the use of professional services has made these funds available.

SECRETARY OF STATE

Vote 20b—To authorize a grant of \$500,000

Explanation—To provide a grant to the province of Newfoundland to commemorate the 25th anniversary of its entry into Confederation.

Source of Funds—Vote 20—(\$499,999)—Funds will be available since the proposed grant to Massey Hall will not be paid in this fiscal year.

Vote 40b—To authorize grants totalling \$33,100.

Explanation—Additional funds are required to provide grants to three volunteer organizations under the Citizenship Participation Activity.

Source of Funds—Vote 40—(\$33,099)—Funds are available due to reduced expenditures under the Citizenship Promotion Activity.

VETERANS AFFAIRS

Vote 10b—To authorize grants totalling \$10,500,000 and to authorize transfers to this Vote totalling \$10,499,999.

Explanation—Additional funds are required to cover increased payments for War Veterans Allowances and Civilian War Allowances due to increased case loads, an unexpected carryover from 1974-75 due to recent legislative changes, a delay in receipt of Spouse's Allowances and the cancellation of escalation in Family Allowance.

Source of Funds—Vote 35—(\$5,499,999)—Funds are available due to reduced pension case loads.

Vote 50—(\$5,000,000)—Funds are available because of unforeseen delays in capital projects.

SCHEDULE C

ONE DOLLAR ITEMS WHICH AUTHORIZE THE DELETION OF DEBTS DUE THE CROWN—4 ITEMS

NATIONAL REVENUE—CUSTOMS AND EXCISE

Vote 1b—To authorize the deletion of debts totalling \$1,169,216.61

Explanation—To delete 72 uncollectable debts, each in excess of \$5,000 and representing amounts owing in respect of domestic sales taxes, excise taxes and import duties. Deletion of these debts has been recommended by the Standing Interdepartmental Committee on Uncollectable Debts.

NATIONAL REVENUE—TAXATION

Vote 5b—To authorize the deletion of debts totalling \$7,961,142.13.

Explanation—To delete 453 uncollectable debts, each in excess of \$5,000 and representing amounts owing in respect of unpaid income taxes. Deletion of these debts has been recommended by the Standing Interdepartmental Committee on Uncollectable Debts.

VETERANS AFFAIRS

Vote 5b—To authorize the deletion of debts totalling \$49,703.84.

Explanation—The Standing Interdepartmental Committee on Uncollectable Debts has recommended the deletion of these debts. They result mainly from undeclared income or the failure to advise of changed marital status. Of the six debtors, one has died with no known estate and the remaining five are indigent.

Vote 30b—To authorize the deletion of a debt for \$46,182.45.

Explanation—The Standing Interdepartmental Committee on Uncollectable Debts has recommended the deletion of this debt. The debt results from the overpayment of pension. The debtor is deceased with no known estate.

SCHEDULE D

ONE DOLLAR ITEMS WHICH AUTHORIZE FINANCIAL GUARANTEES—1 ITEM

FINANCE

Vote L31b—To authorize a loan guarantee.

Explanation—It is proposed to guarantee payment of a loan of \$2 million to be made to the Ottawa Civil Service Recreational Association by a chartered bank. The loan is to be used by the Association to add an arena and multipurpose building.

SCHEDULE E

ONE DOLLAR ITEMS WHICH AMEND THE LEGISLATIVE PROVISIONS OF PREVIOUS APPROPRIATION ACTS—3 ITEMS

ENERGY, MINES AND RESOURCES

Vote L16b—To convert payments made or to be made to the end of 1976-77 in respect of Canada's financial participation in the development and exploration of the Athabaska Tar Sands into common shares of Petro-Canada, who will become the federal agent in the Syncrude Project.

Explanation—Authority is requested to deem any payment made pursuant to Energy, Mines and Resources Vote L12d of Supplementary Estimates (B), 1974-75 and Energy, Mines and Resources Vote L20, Main Estimates 1976-77 to have been advanced out of the Consolidated Revenue Fund for subscription of preferred shares in Petro-Canada.

INDUSTRY, TRADE AND COMMERCE

Vote L37b—To authorize the conversion of debt to equity and to enter into an agreement with prospective buyers.

Explanation—The Federal Government currently owns 40 per cent of Consolidated Computer Inc. (CCI) and the Ontario government owns 17 per cent. Because of the poor performance of CCI, it has been decided that immediate steps should be taken to restructure the company.

In order to attract partners for CCI, it is proposed to convert most of the debt to the Crown into capital stock and to transfer this stock to prospective buyers—Fujitsu of Japan and Consolidated Dynamics Ltd. of Canada.

TREASURY BOARD

Vote 20b—To authorize the payment of premiums and recovery of these costs in respect of employees who were on lawful strike.

Explanation—Authority is requested for the payment of full premiums for employee insurance plans in respect of employees who are on a lawful strike and who do not receive remuneration during that period from which these premiums can be deducted.

Authority is also requested to permit the recovery of these premiums during subsequent pay periods.

SCHEDULE F

ONE DOLLAR ITEMS WHICH AMEND ACTS OTHER THAN APPROPRIATION ACTS—1 ITEM

ENVIRONMENT

Vote L23b—To amend the Saltfish Act by raising the statutory borrowing limit of the Corporation from \$10 million to \$15 million.

Explanation—To provide for the normal expanding operations of the Canadian Saltfish Corporation. The Corporation is already close to its borrowing limit and any change in the factors of production and/or export conditions would affect the need for more working capital, particularly in the October peak pressure period.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 173

Thursday, 25th March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Connolly	Forsey,	Lapointe,	Perrault,
Austin,	(Ottawa West),	Fournier	Lefrançois,	Petten,
Barrow,	Cook,	(de Lanaudière),	Lucier,	Phillips,
Basha,	Côté,	Giguère,	Macdonald,	Quart,
Beaubien,	Cottreau,	Godfrey,	Macnaughton,	Riley,
Bélisle,	Croll,	Goldenberg,	Manning,	Robichaud,
Bell,	Davey,	Graham,	McElman,	Rowe,
Benidickson,	Denis,	Grosart,	McGrand,	Smith
Bonnell,	Deschatelets,	Hastings,	McIlraith,	(Colchester),
Bourget,	Desruisseaux,	Hayden,	McNamara,	Smith (Queens-
Buckwold,	Duggan,	Lafond,	Michaud,	Shelburne),
Cameron,	Eudes,	Laird,	Neiman,	Sparrow,
Carter,	Flynn,	Lamontagne,	Norrie,	Stanbury,
				Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, March 23, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Dick has been substituted for that of Mr. Darling on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

Attest

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by one of the Clerks at the Table with a Bill C-90, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a second reading on Monday next, 29th March, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Central Mortgage and Housing Corporation, together with a statement of accounts certified by the Auditors, for the year ended December 31, 1975, pursuant to section 33 of the *Central Mortgage and Housing Corporation Act*, Chapter C-16, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of operations under the *Government Annuities Act* for the fiscal year ended March 31, 1975, pursuant to section 16 of the said Act, Chapter G-6, R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until Monday next, 29th March, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on National Finance on the Supplementary Estimates (B) laid before Parliament for the fiscal year ending the 31st March, 1976.

The Honourable Senator Sparrow moved, seconded by the Honourable Senator Godfrey, that the Report be adopted now.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying

the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Buckwold called the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Carter, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Lamontagne, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 174

Monday, 29th March, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Godfrey,	Macnaughton,	Perrault,
Barrow,	Cottreau,	Goldenberg,	Manning,	Petten,
Basha,	Croll,	Grosart,	McDonald,	Phillips,
Beaubien,	Davey,	Hastings,	McElman,	Quart,
Bélisle,	Denis,	Hayden,	McGrand,	Riley,
Benidickson,	Duggan,	Lafond,	McIlraith,	Robichaud,
Bourget,	Eudes,	Laird,	McNamara,	Smith
Buckwold,	Flynn,	Lamontagne,	Michaud,	(Queens-
Cameron,	Forsey,	Langlois,	Neiman,	Shelburne),
Carter,	Fournier	Lapointe,	Norrie,	Sparrow,
Connolly	(de Lanaudière),	Lefrançois,	Paterson,	Yuzyk.
(Ottawa West),	Giguère,	Macdonald,		

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Report, dated March 1976, of the Law Reform Commission of Canada entitled "Our Criminal Law", pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970, together with explanatory notes.

Report of the Custodian of Enemy Property for the year ended December 31, 1975, pursuant to section 3 of the *Trading with the Enemy (Transitional Powers) Act*, Chapter 24, Statutes of Canada, 1947.

Report on the administration of the *Public Service Superannuation Act*, Parts I and II, for the fiscal year ended March 31, 1975, pursuant to sections 36 and 49 of the said Act, Chapter P-36, R.S.C., 1970.

Report on the administration of the *Supplementary Retirement Benefits Act* for the fiscal year ending March 31, 1975, pursuant to section 11 of the said Act, Chapter 43 (1st Supplement), R.S.C., 1970.

Copies of Report of the Correctional Investigator for the period from 1 June, 1974 to 31 May, 1975, issued by the Solicitor General of Canada.

Copies of Report of the Anti-Inflation Board, dated March 19, 1976, respecting suppliers of property and casualty insurance.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-90, intituled: "An Act for granting

to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Sparrow, seconded by the Honourable Senator Godfrey, for the adoption of the Report of the Standing Senate Committee on National Finance on the Supplementary Estimates (B) laid before Parliament for the fiscal year ending the 31st March, 1976.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux, calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-90, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Beaubien, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", be read the second time.

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Asselin, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—

Resolved in the affirmative.



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Journals of the Senate

No. 175

Tuesday, 30th March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Goldenberg,	Manning,	Phillips,
Asselin,	Cottreau,	Graham,	McDonald,	Quart,
Barrow,	Croll,	Grosart,	McElman,	Riley,
Basha,	Davey,	Hastings,	McGrand,	Robichaud,
Beaubien,	Denis,	Hayden,	McIlraith,	Smith
Benidickson,	Desruisseaux,	Hays,	McNamara,	(Colchester),
Bourget,	Duggan,	Lafond,	Michaud,	Smith
Buckwold,	Eudes,	Laird,	Molgat,	(Queens-
Cameron,	Flynn,	Lamontagne,	Neiman,	Shelburne),
Carter,	Forsey,	Langlois,	Norrie,	Sparrow,
Choquette,	Fournier	Lapointe,	Paterson,	Stanbury,
Connolly	(de Lanaudière),	Lefrançois,	Perrault,	Sullivan,
(Ottawa West),	Giguère,	Macdonald,	Petten,	Yuzyk.
Cook,	Godfrey,	Macnaughton,		

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill S-10, intituled: "An Act to amend the Feeds Act",

And to acquaint the Senate that the Commons have agreed to the amendment made by the Senate to the amendments made by the Commons to this Bill, without amendment.

A Message was brought from the House of Commons by their Clerk to return the Bill C-71, intituled: "An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act",

And to acquaint the Senate that the Commons have agreed to the amendments made by the Senate to this Bill, without amendment.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-90, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker, as follows:—

GOVERNMENT HOUSE
OTTAWA

MARCH 30th, 1976.

Madam,

I have the honour to inform you that the Hon. Jean Beetz, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 30th of March, at 9:45 p.m., for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE,
Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act",

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the

second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux, calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eight o'clock p.m., it was—

Resolved in the affirmative.

4.55 p.m.

The sitting of the Senate was resumed.

8.00 p.m.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Sullivan moved, seconded by the Honourable Senator Asselin, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately nine forty o'clock p.m., it was—

Resolved in the affirmative.

9.10 p.m.

The sitting of the Senate was resumed.

9.45 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Jean Beetz, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act respecting immigration security

An Act to amend the Veterans Insurance Act and the Returned Soldiers' Insurance Act

An Act to amend the Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act

An Act to amend the Feeds Act.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Honourable the Speaker of the Commons addressed the Honourable the Deputy of His Excellency the Governor General, as follows:

"May it Please Your Honour:

The Commons of Canada have voted supplies to enable the Government to defray certain expenses of the public service:

In the name of the Commons, I present to Your Honour the following bills:—

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1976

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977.

To which Bills I humbly request Your Honour's Assent."

After the Clerk Assistant read the titles of the Bills,—

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General thanks her loyal subjects, accepts their benevolence, and assents to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Robichaud, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 176

Wednesday, 31st March, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Barrow,
Basha,
Beaubien,
Benidickson,
Bourget,
Buckwold,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,
Côté,

Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Giguère,

Godfrey,
Goldenberg,
Graham,
Grosart,
Hastings,
Hayden,
Lafond,
Laird,
Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Macdonald,

Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Neiman,
Norrie,
Paterson,
Perrault,

Petten,
Phillips,
Quart,
Riley,
Robichaud,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Sparrow,
Stanbury,
Sullivan,
Yuzyk.

PRAYERS.

The Honourable the Speaker laid on the Table the Report of the Commissioner of Official Languages, covering the calendar year 1975, pursuant to section 34(2) of the *Official Languages Act*, Chapter O-2, R.S.C. 1970.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on operations under the *Bretton Woods Agreements Act* and the *International Development Association Act* for the year ended December 31, 1975, pursuant to section 7 of the first-mentioned Act, Chapter B-9, and section 5 of the latter Act, Chapter I-21, R.S.C., 1970.

Copies of a Statement and Recommendations of the National Advisory Committee on Immunizing Agents resulting from a meeting in Ottawa, March 23, 1976, issued by the Department of National Health and Welfare, together with a News Release thereon.

The Honourable Senator Macnaughton, P.C., for the Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill S-33, intituled: "An Act respecting United Grain Growers Limited", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until Monday, 12th April, 1976.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions in the Province of New Brunswick,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux, calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Desruisseaux being called,

It was—

Ordered, That it be postponed until Tuesday next, 6th April, 1976.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Wednesday next, 7th April, 1976.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.





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Journals of the Senate

No. 177

Thursday, 1st April, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Basha,
Beaubien,
Benidickson,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Denis,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Giguère,
Goldenberg,
Graham,
Grosart,
Hastings,
Hays,
Lafond,
Laird,
Lamontagne,

Langlois,
Lapointe,
Lawson,
Lefrançois,
Macdonald,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,

Neiman,
Norrie,
Perrault,
Petten,
Phillips,
Quart,
Riley,
Robichaud,
Smith (Queens-
Shelburne),
Sparrow,
Stanbury,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Public Service Staff Relations Board for the fiscal year ended March 31, 1975, pursuant to section 115 of the *Public Service Staff Relations Act*, Chapter P-35, R.S.C., 1970.

Report of Statistics Canada for the fiscal year ended March 31, 1975, pursuant to section 4(3) of the *Statistics Act*, Chapter 15, Statutes of Canada, 1970-71-72.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 5th April, 1976, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Molgat moved, seconded by the Honourable Senator Goldenberg, that the Bill S-33, intituled: "An Act respecting United Grain Growers Limited", be read the third time.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick.

After debate,

The Honourable Senator Robichaud, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanau-dière*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux, calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Denis, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 178

Monday, 5th April, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Cottreau,
Croll,
Denis,
Duggan,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Giguère,
Godfrey,
Goldenberg,
Graham,
Grosart,
Hastings,
Hayden,
Lafond,
Laird,
Langlois,
Lapointe,
Lefrançois,

Lucier,
Macdonald,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Neiman,
Norrie,
Paterson,

Petten,
Phillips,
Riel,
Riley,
Robichaud,
Rowe,
Smith
(Queens-
Shelburne),
Sparrow,
Stanbury,
Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, March 30, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Darling has been substituted for that of Mr. Dick on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

APRIL 1, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Paproski has been substituted for that of Mr. Darling on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk with a Bill C-92, intituled: "An Act to provide for compensation for former prisoners of war and their dependants and to amend certain other statutes in consequence thereof", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Carter, that the Bill be placed on the Orders of the Day for a second reading on Wednesday next, 7th April, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois laid on the Table the following:—

Report of the Department of Industry, Trade and Commerce for the fiscal year ended March 31, 1975, pursuant to section 8 of the *Department of Industry, Trade and Commerce Act*, Chapter I-11, R.S.C., 1970.

Report of the Anti-dumping Tribunal for the year ended December 31, 1975, pursuant to section 32 of the *Anti-dumping Act*, Chapter A-15, R.S.C., 1970.

Report of the Canadian Livestock Feed Board for the crop year ended July 31, 1975, including its accounts and financial statement certified by the Auditor General for the fiscal year ended March 31, 1975, pursuant to section 22 of the *Livestock Feed Assistance Act*, Chapter L-9, R.S.C., 1970.

Copies of a contract between the Government of Canada and the Village of St. Quentin, New Brunswick, for the use or employment of the Royal Canadian Mounted Police, pursuant to section 20(3) of the *Royal Canadian Mounted Police Act*, Chapter R-9, R.S.C., 1970 (English text).

Report of the National Energy Board for the year ended December 31, 1975, pursuant to section 91 of the *National Energy Board Act*, Chapter N-6, R.S.C., 1970.

Copies of a letter from the Minister of Energy, Mines and Resources, dated December 22, 1975, to Mr. Charles Boulva, President of Canadif, together with an attachment entitled "Uranium Enrichment in Canada".

Copies of a Statement by the Minister of Finance to a Federal-Provincial Finance Ministers' Meeting entitled "Review and Reform: Fiscal Arrangements into the 1980s", dated April 1, 1976.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Tuesday, 6th April, 1976, at eight o'clock in the evening.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Petten moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*):

That the name of the Honourable Senator Manning be substituted for that of the Honourable Senator Everett on the list of Senators serving on the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Forsey, resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick.

After debate,

The Honourable Senator Molgat moved, seconded by the Honourable Senator Petten, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate

and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux, calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Croll called the attention of the Senate to the state of the working poor in Canada.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold, that further debate be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 179

Tuesday, 6th April, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lapointe,	Paterson,
Austin,	Côté,	(<i>Restigouche-</i>	Lefrançois,	Petten,
Basha,	Cottreau,	<i>Gloucester</i>),	Lucier,	Phillips,
Beaubien,	Croll,	Giguère,	Macdonald,	Riel,
Bélisle,	Davey,	Godfrey,	Macnaughton,	Riley,
Benidickson,	Denis,	Goldenberg,	McDonald,	Robichaud,
Bonnell,	Desruisseaux,	Graham,	McElman,	Rowe,
Boucher,	Duggan,	Grosart,	McGrand,	Smith
Bourget,	Eudes,	Hastings,	McIlraith,	(<i>Queens-</i>
Buckwold,	Flynn,	Hayden,	McNamara,	<i>Shelburne</i>),
Cameron,	Forsey,	Hicks,	Michaud,	Sparrow,
Carter,	Fournier	Lafond,	Molgat,	Sullivan,
Choquette,	(<i>de Lanaudière</i>),	Laird,	Neiman,	van Roggen,
Connolly		Langlois,	Norrie,	Yuzyk.
(<i>Ottawa West</i>),				

PRAYERS.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Davey, seconded by the Honourable Senator Lang, for the second reading of the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate, and—

The question being put on the motion,

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Argue	Lafond
Austin	Langlois
Benidickson	Lefrançois
Bourget	Lucier
Buckwold	Macnaughton
Cameron	McDonald
Carter	McElman
Cottreau	McGrand
Croll	Michaud
Davey	Molgat
Denis	Neiman
Duggan	Norrie
Eudes	Petten
Forsey	Riel
Fournier (<i>de Lanaudière</i>)	Riley
Fournier (<i>Restigouche-Gloucester</i>)	Robichaud
Giguère	Rowe
Godfrey	Smith (<i>Queens-Shelburne</i>)
Goldenberg	Sparrow
Graham	van Roggen—40.

NAYS

The Honourable Senators

Choquette	Macdonald
Cook	McIlraith
Desruisseaux	McNamara
Flynn	Phillips—9.
Grosart	

So it was resolved in the affirmative.

The Bill was then read the second time, on division.

The Honourable Senator Davey moved, seconded by the Honourable Senator Sparrow, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator

Michaud calling the attention of the Senate to certain economic conditions existing in the Province of New Brunswick.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 180

Wednesday, 7th April, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Giguère,	Lucier,	Petten,
Austin,	Cottreau,	Godfrey,	Macdonald,	Phillips,
Basha,	Croll,	Goldenberg,	Macnaughton,	Quart,
Beaubien,	Davey,	Graham,	McDonald,	Riel,
Bélisle,	Denis,	Grosart,	McElman,	Robichaud,
Benidickson,	Desruisseaux,	Hastings,	McGrand,	Rowe,
Bonnell,	Duggan,	Hayden,	McIlraith,	Smith
Bourget,	Eudes,	Hicks,	McNamara,	(Queens-
Buckwold,	Flynn,	Lafond,	Michaud,	Shelburne),
Cameron,	Forsey,	Laird,	Neiman,	Sparrow,
Carter,	Fournier	Lamontagne,	Norrie,	Sullivan,
Choquette,	(de Lanaudière),	Langlois,	Paterson,	van Roggen,
Connolly	Fournier	Lapointe,	Perrault,	Yuzyk.
(Ottawa West),	(Restigouche-	Lefrançois,		
Cook,	Gloucester),			

PRAYERS.

Tribute was paid to the memory of the Honourable Senator O'Leary whose death occurred today.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Department of Communications for the fiscal year ended March 31, 1975, pursuant to section 6 of the *Department of Communications Act*, Chapter C-24, R.S.C., 1970.

Capital Budget of the Farm Credit Corporation for the fiscal year ending March 31, 1977, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-724, dated March 30, 1976, approving same.

Financial statements of the National Harbours Board, together with the Auditor General's report thereon, for the year ended December 31, 1975, pursuant to section 32 of the *National Harbours Board Act*, Chapter N-8, R.S.C., 1970.

Report of the Canadian Turkey Marketing Agency, together with financial statements and the auditors' report thereon, for the year ended December 31, 1975, pursuant to section 31 of the *Farm Products Marketing Agencies Act*, Chapter 65, Statutes of Canada, 1970-71-72.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting today, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Bill C-92, intituled: "An Act to provide for compensation for former prisoners of war and their dependants and to amend certain other statutes in consequence thereof", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Carter moved, seconded by the Honourable Senator Buckwold, that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was —

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Tuesday, 11th May, 1976.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 181

Thursday, 8th April, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Austin,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(Ottawa West),
Cook,
Côté,
Cottreau,
Croll,
Denis,
Desruisseaux,
Duggan,
Eudes,
Flynn,
Forsey,

Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),
Giguère,
Goldenberg,
Grosart,
Hastings,
Hayden,
Hicks,
Lafond,
Laird,

Lamontagne,
Langlois,
Lapointe,
Lefrançois,
Lucier,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,

Norrie,
Perrault,
Petten,
Phillips,
Quart,
Riel,
Rowe,
Smith
(Queens-
Shelburne),
Sparrow,
van Roggen,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Canada Deposit Insurance Corporation, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1975, pursuant to section 46 of the *Canada Deposit Insurance Corporation Act*, Chapter C-3, R.S.C., 1970.

The Honourable Senator Macnaughton, P.C., for the Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the subject-matter of an inquiry of the Honourable Senator Desruisseaux on Canadian textile problems tabled the First Report of the said Committee thereon.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 830-831).

The Honourable Senator Forsey from the Standing Joint Committee on Regulations and other Statutory Instruments, presented its Eighth Report as follows:—

THURSDAY, April 8, 1976

The Standing Joint Committee on Regulations and other Statutory Instruments has the honour to present its Eighth Report as follows:

In relation to the Order of Reference of the House of Commons dated Thursday, February 12, 1976, relating to the subject-matter of Bill C-225, "An Act respecting the right of the public to information concerning the public business", Guidelines for Motions for the Production of Papers tabled December 19, 1974, by the President of the Privy Council, the *Official Secrets Act*, the *Federal Court Act*, the *Statistics Act*, Prerogative Writs, and laws related to the question of freedom of information and the protection of privacy, and the question of automatic data processing in the above context, with due protection for privacy of persons.

Your Committee recommends that one member of the Committee be authorized to travel outside Canada, namely to London, England, to attend a "Symposium on Freedom of Information" to be held on April 29, 1976, by the All-Party Committee on Freedom of Information of the British House of Commons.

Respectfully submitted,

EUGENE A. FORSEY,
Joint Chairman.

With leave of the Senate,

The Honourable Senator Forsey moved, seconded by the Honourable Senator Bonnell, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday, 27th April, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit during adjournments of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on National Finance have power to sit during adjournments of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

With leave of the Senate,

The Honourable Senator Laird moved, seconded by the Honourable Senator Carter:

That Raymond L. du Plessis, Esquire, Q.C., be appointed Law Clerk and Parliamentary Counsel of the Senate effective 1st January, 1976.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave

The Senate proceeded to Inquiry No. 1.

The Honourable Senator Bonnell called the attention of the Senate to the *British North America Act* as it pertains to transportation.

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Quart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate reverted to Orders of the Day.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 828)

Wednesday, April 7, 1976.

On May 27, 1975, the following order of reference was made by the Senate:

"Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to Canadian Textile Problems.

After debate,

The Honourable Senator Asselin, P.C., moved seconded by the Honourable Senator Choquette, that the subject-matter of the inquiry be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative".

Pursuant to the above order of reference, your committee now presents its first report as follows:

The committee is of the opinion that immediate action can be taken by the government to alleviate the present malaise in the textile industry and, for this reason, is proceeding by issuing a first report on measures that can be instituted immediately pending a more detailed study which should bring about long-range solutions to the problem.

This report constitutes the result of the committee's examination and consideration of the written and verbal representations from the representatives of the textile industry, labour and management, and it takes into account the essence of the speeches made in the Senate on this subject.

Not all interested parties have appeared before the committee as yet, though all have been invited to do so. The presence of the Minister of Industry, Trade and Commerce before your committee has now been assured for April 28, and further, representatives of the Canadian Textile Importers Association have chosen to appear before the committee late in April.

This first report is based on the committee's interim study of the present textile problems after consideration of the evidence submitted as of this date to the committee. A further report may follow dealing with the long-range problems that may arise out of the evidence developed in subsequent hearings at which the minister and the Canadian Textile Importers Association are to be heard.

On May 14, 1970, the Honourable Jean-Luc Pepin, the incumbent Minister of Industry, Trade and Commerce, made known the Canadian Textile Policy in a document tabled in the House of Commons. On this occasion the minister made a brief statement of the highlights of the government's policy as contained in this document.

The minister's commentary included the reasons for the review by his department of the then present state of the textile industry in Canada and the world textile situation and the factors considered in establishment of the new policy. As reported in the *Commons Debates* of May 14, 1970, on page 6952, he said:

"In the first place, the restrictions by other industrialized countries lead to increased pressures from low-cost competition on the relatively open Canadian market."

and

"In the second place, other countries have severely limited the access of Canadian textile and clothing exports, and the attainment of full competitive potential in Canada has been limited by the slow progress in the liberalization of world trade in textiles."

The minister went on to say that two extreme policies, an open door policy and one of global containment had been considered and rejected.

The policy adopted was intended to provide a framework within which the industry could plan, invest and develop with more confidence. Its purpose was to create conditions in which the industry would continue to move progressively toward viable lines of production.

The minister stated that:

"... the government will be prepared, in cases of serious injury or threat of injury from low-cost imports, to accord special protection—unilaterally when necessary—in order to facilitate adjustment to or strengthening of the more viable lines of production."

Emphasis was placed on the industry planning to phase out the least competitive lines and concentrate on those with the highest competitive potential.

The committee's examination of the textile problem has exposed a most deplorable situation in the textile and clothing industries (hereafter referred to simply as the textile industry). At the present time the domestic industry is producing approximately 46% of the textile products consumed in Canada with the balance being imported. This situation has developed over a number of years, as shown by the following:

CANADIAN TEXTILE CONSUMPTION

Year	(million pounds of yarn equivalent weight)			Total	
	Production	Exports	Imports	Apparent Consumption	Percentage Canadian Import
1964	409	34	214	589	64 36
1969	455	40	339	754	55 45
1973	495	41	579	1033	44 56
1974	542	52	602	1092	45 55
1975	490	30	544	1004	46 54

It can be seen that import penetration into Canada has increased and is significantly higher than the U.S.A. (about 12%), the Common Market (about 20%) or Japan (about 10%). It should be observed that the import penetration has been accentuated even after the adoption of the textile policy in 1970.

The cause of this situation appears to be an unwillingness by the government to implement the textile policy in accordance with the aims of that policy, and in fact to

promote almost an open-door policy. Further, restraints are imposed long after complaints are made by the industry. The restraint agreements are of a one-year duration and are not adequately policed. Furthermore, the items subject to restraint in Canada represent only 6 per cent of the total imports as compared to 70 per cent in the United States. At the time the textile policy was announced, restraints in Canada applied to 15 per cent of textile imports.

One of the major effects of the increase in imports has been and continues to be the reduction by domestic industry of its productive capacity. Plants have been closed and the labour force laid off. This has had a particularly severe effect due to the nature of the industry whereby in addition to a few major producers, there are many small companies situated in relatively small towns and cities in Quebec and Ontario, and the closing or reduction of such a company affects the economy of the whole town. The textile industry employs between 180,000 and 200,000 workers and in 1973 contributed 6.3 per cent of the value of Canadian manufacturing. The textile industry as a whole employs some 20 per cent of all manufacturing workers in Quebec, and it is also of primary importance in Ontario. It was submitted to the committee that 25,000 textile workers had lost their jobs in the past year and that unemployment among textile workers was 18 per cent in the second quarter of 1975 when the average seasonally adjusted unemployment rate for all Canadian workers was 7.2 per cent. These few statistics amply illustrate the importance of the textile industry in the Canadian economy.

It appears that if proper protection from imports were provided the domestic industry would have or would very quickly develop the capacity to satisfy a substantially larger proportion of Canadian requirements more in line with the U.S. situation where domestic industry produces approximately 88 per cent of total consumption. The industry has already been streamlined and at present operates at a high level of technology and efficiency. To be viable with its present capacity immediate steps must be taken to provide the industry with at least 65 per cent of the domestic market. Due to inadequate import barriers the industry's share is only 46 per cent of the domestic market. However, this 65 per cent could be significantly increased and Canadian consumers would appear to still have adequate access to low cost textile products available from abroad.

In his speech in the House of Commons in May 1970, referred to earlier, the Minister of Industry, Trade and Commerce emphasized the following by reading directly from the document:

"Low cost measures would, wherever possible, be applied as at present by means of voluntary restraint agreements. However, in the case of undue delay or when the problem does not lend itself to a negotiated solution, unilateral measures such as global import

quotas might be applied... it is proposed that the Export and Import Permits Act be amended to permit unilateral imposition of import licensing quotas in cases of serious injury or the threat of injuries."

It is obvious from the evidence presented that implementation of the policy has not met the intent set forth when announced, that not all available protective measures have been brought to bear on the problem, and those used have been ineffective. For instance, long delays are encountered between the time an injury is reported and a restraint agreement is negotiated, and recommendations made by the Textile and Clothing Board are often altered and diluted.

It would seem that consideration should now be given to effect an amendment to Canadian textile policy to assure some reasonable percentage of the Canadian market to the domestic industry and its labour force. In the meantime there are a number of measures and procedures available which could be used immediately to alleviate the current textile problems and thereby improve the industry labour situation, as follows:

(1) Under section 7 and subsection 8(2) of the Customs Tariff Act a surtax can be applied to imported products in order to prevent imports at disruptive prices. Section 7 was used in June 1970 on the importation of woven shirts.

(2) The Textile and Clothing Board would accelerate their inquiries as much as possible by whatever means available, including consideration of as many products as practicable in the course of each inquiry.

(3) The procedures by which recommendations of the Textile and Clothing Board are implemented could be accelerated and prompt actions enforced. There should be a time limitation within which action on the board's recommendations shall be taken by the minister.

(4) The Minister of Industry, Trade and Commerce could institute a vigorous drive to negotiate as many long-term bilateral restraint agreements as possible. Such agreements should cover a broad range of products in order to afford maximum protection.

(5) Immediate monitoring of restraint agreements currently in force. A significant step in achieving this objective would be the inclusion of all products covered by these agreements on the Import Control List thereby requiring permits for their importation.

(6) Amendment could be made to the Export and Import Permits Act to allow the placing on the Import Control List of textile products subject neither to restraint agreements nor to a Textile and Clothing Board inquiry.

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.



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Journals of the Senate

No. 182

Tuesday, 27th April, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Forsey,	Laird,	Molson,
Austin,	Connolly	Fournier	Lamontagne,	Norrie,
Basha,	(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Langlois,	Perrault,
Beaubien,	Cook,	Fournier	Lapointe,	Petten,
Bélisle,	Côté,	(<i>Restigouche-</i>	Lefrançois,	Phillips,
Bell,	Cottreau,	<i>Gloucester</i>),	Lucier,	Riley,
Benidickson,	Croll,	Godfrey,	Macdonald,	Rowe,
Bonnell,	Davey,	Goldenberg,	McDonald,	Smith
Bourget,	Denis,	Graham,	McElman,	(<i>Colchester</i>),
Buckwold,	Deschatelets,	Hastings,	McGrand,	Smith
Burchill,	Desruisseaux,	Hayden,	McIlraith,	(<i>Queens-</i>
Cameron,	Eudes,	Hicks,	McNamara,	<i>Shelburne</i>),
Carter,	Flynn,	Lafond,	Michaud,	Sparrow,
			Molgat,	Stanbury.

PRAYERS.

Tribute was paid to the Honourable Léon Mercier Gouin who resigned from the Senate on 18th March, 1976.

A Message was brought from the House of Commons by their Clerk in the following words:

WEDNESDAY, April 7, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Darling has been substituted for that of Mr. Paproski on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,

The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:

THURSDAY, April 8, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Gauthier (*Ottawa-Vanier*) has been substituted for that of Mr. Baker (*Gander-Twillington*) on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,

The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill S-31, intituled: "An Act to amend the Quarantine Act",

And to acquaint the Senate the Commons have passed this Bill, without amendment.

A Message was brought from the House of Commons by their Clerk to return the Bill S-8, intituled: "An Act respecting the use of national safety marks in relation to motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another",

And to acquaint the Senate that the Commons have passed this Bill with twelve amendments, to which they desire the concurrence of the Senate.

The amendments were then read by the Clerk Assistant, as follows:—

Page 1, line 8. Strike out line 8 and substitute the following therefor:

"business of selling in more than one province or country to other persons, for"

Page 3, lines 1 and 2. Strike out lines 1 and 2 and substitute the following therefor:

"national tire safety mark and, without restricting"

Page 3, line 33. Strike out line 33 and substitute the following therefor:

"prescribe;"

Page 3, lines 36 to 42. Strike out lines 36 to 42 and substitute the following therefor:

"facturer, that he establish a registration system by which any person who has purchased a motor vehicle tire manufactured by him and who wishes to be identified may be identified; and

(f) prescribed the kind of registration system to be established for the purpose of paragraph (e) and the manner in which it shall be maintained."

Page 4, line 4. Strike out line 4 and substitute the following therefor:

"5. No manufacturer shall"

Page 5, line 3. Strike out line 3 and substitute the following therefor:

"into Canada;"

Page 5, lines 25 to 31. Strike out lines 25 to 31 and substitute the following therefor:

"(ii) the importer establishes a registration system by which any person who has purchased a motor vehicle tire imported by him and who wishes to be identified may be identified; and

(c) prescribing the kind of registration system to be established for the purpose of subparagraph (b) (ii) and the manner in which it shall be maintained."

Page 5, line 36. Strike out line 36 and substitute the following therefor:

"facturer or importer of a motor"

Page 6, lines 1 to 5. Strike out lines 1 to 5 and substitute the following therefor:

"(a) any person who has obtained, for the purpose of sale or resale, a tire manufactured or imported by him,

(b) any purchaser of that tire of whom the manufacturer or importer of that tire has a record,"

Page 6, line 11. Strike out line 11 and substitute the following therefor:

"(a) be given by certified mail"

Page 7, lines 1 and 2. Strike out lines 1 and 2 and substitute the following therefor:

"any person who has been designated as an inspector pursuant to the *Motor Vehicle Safety Act*."

Page 7, line 14. Strike out line 14 and substitute the following therefor:

"tion 4 or 7 that is to be offered for sale and that is owned by or situated on"

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the amendments be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—

Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-20, intituled: "An Act respecting citizenship", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 29th April, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:

Report, dated March 1976, of the Law Reform Commission of Canada entitled "Expropriation", pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970, together with explanatory notes.

Report of the Department of National Health and Welfare for the fiscal year ended March 31, 1975, pursuant to section 13 of the *Department of National Health and Welfare Act*, Chapter N-9, R.S.C., 1970.

Report of The Canadian Wheat Board for the crop year ended July 31, 1975, including its financial statements certified by the Auditors, pursuant to section 7(2) of the *Canadian Wheat Board Act*, Chapter C-12, R.S.C., 1970.

Copies of letters from the Prime Minister of Canada to the Premiers of the Provinces, dated April 19, 1975 and March 31, 1976, concerning "Patriation" of the *British North America Act*, together with attachments.

Report, dated March 1976, of the Law Reform Commission of Canada entitled "Mental Disorder in the Criminal Process", pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970, together with explanatory notes.

Report respecting operations of the *Medical Care Act* for the fiscal year ended March 31, 1975, pursuant to section 9 of the said Act, Chapter M-8, R.S.C., 1970.

Report of the Textile and Clothing Board, dated February 11, 1976, to the Minister of Industry, Trade and Commerce, pursuant to section 19 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting acrylic yarns.

Report of the Textile and Clothing Board, dated February 11, 1976, to the Minister of Industry, Trade and Commerce, pursuant to section 19 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting men's and boys' shirts.

Report of the Textile and Clothing Board, dated February 11, 1976, on an inquiry respecting outerwear.

Report of operations under the *Export and Import Permits Act* for the year ended December 31, 1975, pursuant to section 26 of the said Act, Chapter E-17, R.S.C., 1970.

General Order of the Judges of the Supreme Court of Canada, dated April 1, 1976, amending the Rules of the Supreme Court of Canada, pursuant to section 103(4) of the *Supreme Court Act*, Chapter S-19, R.S.C., 1970.

Report of the Northern Transportation Company Limited, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report on operations under Part II of the *Export Credits Insurance Act* for the fiscal year ended March 31, 1976, pursuant to section 27 of the said Act, Chapter 105, R.S.C., 1952.

Reports on operations under the *Regional Development Incentives Act* for the months of December, 1975 and January, 1976, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Copies of Statement made by the Minister of National Health and Welfare to the House of Commons on April 14, 1976, with respect to proposals to extend coverage of the *Old Age Security Act*, together with copies of document entitled "Proposed Amendments to the Old Age Security Act", dated April 1976.

Report of the Public Service Commission of Canada for the year ended December 31, 1975, pursuant to section 45 of the *Public Service Employment Act*, Chapter P-32, R.S.C., 1970.

Report of the Public Service Commission on Delegation of Staffing Authority for the year ended December 31, 1975, pursuant to section 45 of the *Public Service Employment Act*, Chapter P-32, R.S.C., 1970.

Report of the Public Service Commission on Positions or Persons excluded from the operation of the *Public Service Employment Act* for the year ended December 31, 1975, pursuant to section 45 of the said Act, Chapter P-32, R.S.C., 1970.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold

calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the question of total free trade as an economic consideration for Canada.

Debated.

The Honourable Senator Desruisseaux called the attention of the Senate to the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1973, tabled in the Senate on 9th March, 1976.

After debate,

With leave of the Senate and pursuant to Rule 23, the inquiry was modified by striking out the period after "1976" and adding the following:

"and the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, tabled in the Senate on 2nd December, 1975."

After further debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Molgat, that further debate on the inquiry, as modified, be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 183

Wednesday, 28th April, 1976

2.00 o'clock p.m.

The Honourable MAURICE BOURGET, P.C., Speaker *pro tem.*

The Members convened were:

The Honourable Senators

Argue,	Connolly	Fournier	Laird,	Norrie,
Austin,	(Ottawa West),	(de Lanaudière),	Lamontagne,	Paterson,
Basha,	Cook,	Fournier	Langlois,	Perrault,
Beaubien,	Côté,	(Restigouche-	Lefrançois,	Petten,
Bélisle,	Cottreau,	Gloucester),	Lucier,	Phillips,
Bell,	Croll,	Godfrey,	Macdonald,	Quart,
Benidickson,	Davey,	Goldenberg,	McDonald,	Riley,
Bonnell,	Denis,	Graham,	McElman,	Rowe,
Bourget,	Deschatelets,	Greene,	McGrand,	Smith
Buckwold,	Desruisseaux,	Hastings,	McIlraith,	(Colchester),
Burchill,	Duggan,	Hayden,	McNamara,	Smith (Queens-
Cameron,	Eudes,	Hays,	Michaud,	Shelburne),
Carter,	Flynn,	Hicks,	Molgat,	Sparrow,
Choquette,	Forsey,	Lafond,	Molson,	Stanbury,
				Williams.

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Flynn, P.C.:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Bourget, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator Bourget, P.C., took the Chair.

PRAYERS.

The Honourable the Speaker *pro tem* laid on the Table the Report of the Parliamentary Librarian for the fiscal year 1974-75.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Fitness and Amateur Sport Directorate for the fiscal year ended March 31, 1975, pursuant to section 13 of the *Fitness and Amateur Sport Act*, Chapter F-25, R.S.C., 1970.

Report of the Canadian Egg Marketing Agency for the year ended December 31, 1975, including its financial statements and the auditors' report thereon, pursuant to section 31 of the *Farm Products Marketing Agencies Act*, Chapter 65, Statutes of Canada, 1970-71-72.

Copies of document entitled "An Energy Strategy for Canada—Policies for Self-Reliance" and summary of the strategy paper, together with notes for a statement made by the Minister of Energy, Mines and Resources to the House of Commons on April 27, 1976 and a press release thereon.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation.

After debate,

The Honourable Senator Rowe moved, seconded by the Honourable Senator Norrie, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the amendments made by the House of Commons to the Bill S-8, intituled: "An Act respecting the use of national safety marks in relation to

motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another".

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the amendments be concurred in.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have agreed to the amendments made by the Commons to this Bill, without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1973, tabled in the Senate on 9th March, 1976, and the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, tabled in the Senate on 2nd December, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate

respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 184

Thursday, 29th April, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Choquette,	Flynn,	Hicks,	Molson,
Austin,	Connolly	Fournier	Lafond,	Norrie,
Basha,	(Ottawa West),	(de Lanaudière),	Laird,	Perrault,
Beaubien,	Cook,	Fournier	Langlois,	Petten,
Bélisle,	Côté,	(Restigouche-	Lapointe,	Quart,
Bell,	Cottreau,	Gloucester),	Lefrançois,	Riley,
Benidickson,	Davey,	Godfrey,	Lucier,	Rowe,
Bonnell,	Denis,	Goldenberg,	Macdonald,	Smith
Bourget,	Deschatelets,	Graham,	McDonald,	(Colchester),
Buckwold,	Desruisseaux,	Greene,	McElman,	Smith (Queens-
Burchill,	Duggan,	Hastings,	McGrand,	Shelburne),
Cameron,	Eudes,	Hayden,	McIlraith,	Sparrow,
Carter,	Everett,	Hays,	McNamara,	Stanbury,
			Michaud,	Williams.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Recommendations, dated April 14, 1976, of the Anti-Inflation Board regarding suppliers of commodities or services who bargain collectively, together with Schedule.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 4th May, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting on Wednesday next, 5th May, 1976, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill C-20, intituled: "An Act respecting citizenship", be read the second time.

After debate,

The Honourable Senator Choquette for the Honourable Senator Yuzyk moved, seconded by the Honourable Senator Quart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until Tuesday, 25th May, 1976.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1973, tabled in the Senate on 9th March, 1976, and the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, tabled in the Senate on 2nd December, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying

the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 185

Tuesday, 4th May, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Côté,	Fournier	Macdonald,	Riel,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Manning,	Robichaud,
Barrow,	Croll,	<i>Gloucester</i>),	McDonald,	Smith
Basha,	Davey,	Godfrey,	McElman,	(<i>Colchester</i>),
Beaubien,	Denis,	Goldenberg,	McGrand,	Smith
Bélisle,	Deschatelets,	Graham,	McIlraith,	(<i>Queens-</i>
Benidickson,	Desruisseaux,	Grosart,	McNamara,	<i>Shelburne</i>),
Bonnell,	Duggan,	Hayden,	Michaud,	Stanbury,
Bourget,	Eudes,	Lafond,	Molson,	Sullivan,
Buckwold,	Everett,	Laird,	Norrie,	Thompson,
Carter,	Flynn,	Lang,	Paterson,	Walker,
Choquette,	Forsey,	Langlois,	Perrault,	Williams,
Connolly	Fournier	Lapointe,	Petten,	Yuzyk.
(<i>Ottawa West</i>),	(<i>de Lanaudière</i>),	Lefrançois,	Quart,	
Cook,				

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-89, intituled: "An Act to amend the Anti-Inflation Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 6th May, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report by the Tariff Board, pursuant to the Inquiry ordered by the Minister of Finance respecting Pleasure Craft, Reference No. 149 (English and French texts), together with a copy of the transcript of evidence presented at public hearings (English text), pursuant to section 6 of the *Tariff Board Act*, Chapter T-1, R.S.C., 1970.

Report of Air Canada for the year ended December 31, 1975, pursuant to section 27 of the *Air Canada Act*, Chapter A-11, R.S.C., 1970.

Capital and Operating Budgets of the Canadian National Railways for the year ending December 31, 1976, pursuant to section 37(2) of the *Canadian National Railways Act*, Chapter C-10, and section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-891, dated April 13, 1976, approving same.

Copies of financial statement on the operation and maintenance of the Great Slave Lake Railway for the year ended December 31, 1975, together with a statement showing the net capital investment as at December 31, 1975, pursuant to section 9, Chapter 56, Statutes of Canada, 1960-61.

Copies of a document entitled "Economic Review, April 1976", issued by the Minister of Finance.

Report on Prairie Farm Rehabilitation and Related Activities for the fiscal year ended March 31, 1975, pursuant to section 10 of the *Prairie Farm Rehabilitation Act*, Chapter P-17, R.S.C., 1970.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill C-20, intituled: "An Act respecting citizenship".

After debate,

The Honourable Senator Forsey moved, seconded by the Honourable Senator Bonnell, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1973, tabled in the Senate on 9th March, 1976, and the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, tabled in the Senate on 2nd December, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Ordered of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold

calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Forsey called the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada.

After debate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 186

Wednesday, 5th May, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lapointe,	Phillips,
Asselin,	Côté,	(<i>Restigouche-</i>	Lefrançois,	Quart,
Austin,	Cottreau,	<i>Gloucester</i>),	Lucier,	Riel,
Barrow,	Croll,	Godfrey,	Macdonald,	Riley,
Basha,	Davey,	Goldenberg,	Manning,	Robichaud,
Beaubien,	Denis,	Graham,	McDonald,	Smith
Bélisle,	Deschatelets,	Greene,	McElman,	(<i>Colchester</i>),
Benidickson,	Desruisseaux,	Grosart,	McGrand,	Smith (<i>Queens-</i>
Bonnell,	Eudes,	Hayden,	McIlraith,	<i>Shelburne</i>),
Bourget,	Everett,	Hicks,	McNamara,	Stanbury,
Buckwold,	Flynn,	Lafond,	Molson,	Sullivan,
Carter,	Forsey,	Laird,	Norrie,	Thompson,
Choquette,	Fournier	Lamontagne,	Paterson,	Walker,
Connolly	(<i>de Lanaudière</i>),	Lang,	Perrault,	Williams,
(<i>Ottawa West</i>),		Langlois,	Petten,	Yuzk.

PRAYERS.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE
OTTAWA

MAY 5, 1976

Madam,

I have the honour to inform you that the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 5th day of May, at 5.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE,
Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report, dated March 1976, of the Law Reform Commission of Canada entitled "Family Law", pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970, together with explanatory notes.

Report on the Quinquennial Actuarial Examination of the Royal Canadian Mounted Police (Dependants) Pension Fund as at March 31, 1976, together with Treasury Board Order, dated April 15, 1976, pursuant to sections 56(3) and 57(3) of the *Royal Canadian Mounted Police Pension Continuation Act*, Chapter R-10, R.S.C., 1970.

Report of the Department of Agriculture for the fiscal year ended March 31, 1975, pursuant to section 6 of the *Department of Agriculture Act*, Chapter A-10, R.S.C., 1970.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator McIlraith, P.C., for the second reading of the Bill C-20, intituled: "An Act respecting citizenship".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Bill be referred to the Standing Senate Committee on Foreign Affairs.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1973, tabled in the Senate on 9th March, 1976, and the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, tabled in the Senate on 2nd December, 1975,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 3.30 p.m.

The sitting of the Senate was resumed. 5.45 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to

await the arrival of the Right Honourable the Deputy of His Excellency the Governor General, it was,—

Resolved in the affirmative.

After awhile, the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Right Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to provide for compensation for former prisoners of war and their dependants and to amend certain other statutes in consequence thereof

An Act respecting the use of national safety marks in relation to motor vehicle tires and to provide for safety standards for certain motor vehicle tires imported into or exported from Canada or sent or conveyed from one province to another

An Act to amend the Quarantine Act.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Right Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Right Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Laird,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 187

Thursday, 6th May, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Carter,
Choquette,
Connolly
(*Ottawa West*),
Cook,

Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(*de Lanaudière*),

Fournier
(*Restigouche-
Gloucester*),
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Hayden,
Hicks,
Lefond,
Laird,
Lamontagne,
Lang,

Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Norrie,
Perrault,
Petten,

Phillips,
Quart,
Riley,
Robichaud,
Smith
(*Colchester*),
Smith (*Queens-
Shelburne*),
Stanbury,
Sullivan,
Thompson,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of Eldorado Nuclear Limited and its subsidiary, Eldorado Aviation Limited, including their accounts and financial statements certified by the Auditor General, for the year ended December 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 11th May, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That from now and until the Senate adjourns for the summer recess, the Senate shall adjourn at three thirty o'clock in the afternoon on Wednesdays.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting on Wednesday next, 12th May, 1976, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Stanbury moved, seconded by the Honourable Senator Greene, P.C., that the Bill C-89, intituled: "An Act to amend the Anti-Inflation Act", be read the second time.

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1973, tabled in the Senate on 9th March, 1976, and the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, tabled in the Senate on 2nd December, 1975,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Greene, P.C., resumed the debate on the inquiry of the Honourable Senator Greene, P.C., calling the attention of the Senate to the desirability of permitting complete television and radio coverage of the proceedings of the Senate and the public proceedings of all Senate Committees.

After debate,

With leave of the Senate,

On motion of the Honourable Senator Greene, P.C., the Order was discharged and the inquiry withdrawn.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Norrie resumed the debate on the inquiry of the Honourable Senator Buckwold calling the attention of the Senate to the Report of the Canadian National Committee on Habitat: United Nations Conference on Human Settlements.

Debated.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate

respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 188

Tuesday, 11th May, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cottreau,	Godfrey,	Macnaughton,	Quart,
Austin,	Davey,	Goldenberg,	McDonald,	Riel,
Barrow,	Denis,	Graham,	McElman,	Riley,
Basha,	Deschatelets,	Greene,	McGrand,	Rowe,
Beaubien,	Duggan,	Grosart,	McIlraith,	Smith
Bélisle,	Eudes,	Hayden,	McNamara,	(Colchester),
Bell,	Flynn,	Hays,	Michaud,	Smith
Benidickson,	Forsey,	Lafond,	Molgat,	(Queens-
Bourget,	Fournier	Laird,	Molson,	Shelburne),
Cameron,	(de Lanaudière),	Lamontagne,	Neiman,	Sparrow,
Carter,	Fournier	Lang,	Norrie,	Stanbury,
Choquette,	(Madawaska-	Langlois,	Paterson,	Thompson,
Connolly	Restigouche),	Lapointe,	Petten,	van Roggen,
(Ottawa West),	Fournier	Macdonald,	Phillips,	Walker,
Cook,	(Restigouche-			Yuzyk.
Côté,	Gloucester),			

PRAYERS.

The Honourable Senator Langlois laid on the Table the following:—

Copies of a statement respecting background information on Loto Canada, dated May 10, 1976, issued by the President of the Treasury Board.

Copies of an amendment, dated April 27, 1976, to By-law No. 1 of the Export Development Corporation, pursuant to section 16(3) of the *Export Development Act*, Chapter E-18, R.S.C., 1970.

Revised Capital Budget of the National Harbours Board for the year ended December 31, 1974, pursuant to section 70 (2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-987, dated April 27, 1976, approving same.

Capital Budget of the Northern Transportation Company Limited for the year ending December 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copies of Order in Council P.C. 1976-989, dated April 27, 1976, approving same.

The Honourable Senator Langlois presented to the Senate a Bill S-34, intituled: "An Act to amend the Aeronautics Act".

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 13th May, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois presented to the Senate a Bill S-35, intituled: "An Act to amend an Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act".

The Bill was read the first time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten, that the Bill be placed on the Orders of the Day for a second reading on Thursday next, 13th May, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Stanbury, seconded by the Honourable Senator Greene,

P.C., for the second reading of the Bill C-89, intituled: "An Act to amend the Anti-Inflation Act".

After debate,

The Honourable Senator Petten for the Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator Carter, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation.

After debate,

The Honourable Senator Duggan moved, seconded by the Honourable Senator Fournier (*Restigouche-Gloucester*), that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Desruisseaux calling the attention of the Senate to the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part I, Corporations) for the fiscal periods ended in 1973), tabled in the Senate on 9th March, 1976, and the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, tabled in the Senate on 2nd December, 1975.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying

the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 189

Wednesday, 12th May, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Macdonald,	Quart,
Austin,	Côté,	(Restigouche-	Macnaughton,	Riel,
Barrow,	Cottreau,	Gloucester),	McDonald,	Riley,
Basha,	Davey,	Godfrey,	McElman,	Robichaud,
Beaubien,	Denis,	Goldenberg,	McGrand,	Rowe,
Bélisle,	Deschatelets,	Greene,	McIlraith,	Smith
Bell,	Duggan,	Grosart,	McNamara,	(Colchester),
Benidickson,	Eudes,	Hayden,	Michaud,	Smith (Queens-
Bourget,	Forsey,	Hays,	Molgat,	Shelburne),
Buckwold,	Fournier	Lafond,	Molson,	Sparrow,
Cameron,	(de Lanaudière),	Laird,	Neiman,	Stanbury,
Carter,	Fournier	Lamontagne,	Norrie,	Thompson,
Choquette,	(Madawaska-	Lang,	Paterson,	van Roggen,
Connolly	Restigouche),	Langlois,	Petten,	Walker,
(Ottawa West),		Lapointe,	Phillips,	Yuzyk.

PRAYERS.

The Honourable Senator Langlois laid on the Table the following:—

Copies of *Ad referendum* Text of an Agreement between the Government of Canada and the Government of the United States of America concerning Transit Pipelines, initialled January 28, 1976.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Stanbury, seconded by the Honourable Senator Greene, P.C., for the second reading of the Bill C-89, intituled: "An Act to amend the Anti-Inflation Act".

After debate,

The Honourable Senator Macdonald for the Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Laird resumed the debate on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report of the Standing Committee on Internal Economy, Budgets and Administration to which was referred the subject-matter of a motion containing proposed regulations entitled: "Regulations of the Senate respecting attendance of Senators at sittings of the Senate and deductions to be made from the sessional allowance", and

On the motion in amendment thereto of the Honourable Senator Côté, P.C., seconded by the Honourable Senator Robichaud, P.C., that the Report be not now adopted, but that it be referred back to the Committee with instructions to study the possibility of modifying the formula proposed in the Report to record and control the absences of Senators and of adopting a procedure similar to that of the other House in this regard,

After debate, and—

The question being put on the motion, in amendment, it was—

Resolved in the negative, on division.

The question then being put on the motion of the Honourable Senator Laird, seconded by the Honourable Senator Petten, for the adoption of the Report, it was—

Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 190

Thursday, 13th May, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bell,
Benidickson,
Bourget,
Buckwold,
Cameron,
Carter,
Choquette,

Connolly
(*Ottawa West*),
Cook,
Côté,
Cottreau,
Davey,
Denis,
Deschatelets,
Duggan,
Eudes,
Forsy,
Fournier
(*de Lanaudière*),

Fournier
(*Madawaska-
Restigouche*),
Fournier
(*Restigouche-
Gloucester*),
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Hayden,
Hays,
Lafond,
Laird,

Lamontagne,
Lang,
Langlois,
Lapointe,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,
Norrie,

Petten,
Phillips,
Quart,
Riley,
Robichaud,
Rowe,
Smith
(*Colchester*),
Smith (*Queens-
Shelburne*),
Sparrow,
Thompson,
van Roggen,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Langlois laid on the Table the following:—

Copies of Ordinances, Chapters 1 to 14 inclusive, passed by the Council of the Northwest Territories during its 1974 First (51 consecutive) Session and assented to February 8, 1974, pursuant to section 16(1) of the *Northwest Territories Act*, Chapter N-22, R.S.C., 1970, together with copy of Order in Council P.C. 1976-906, dated April 13, 1976.

Copy of Ordinance passed by the Council of the Yukon Territory at its 1976 First Session and assented to March 1, 1976, pursuant to section 20(1) of the *Yukon Act*, Chapter Y-2, R.S.C., 1970, together with copy of Order in Council P.C. 1976-847, dated April 6, 1976.

National Capital Fund Budget of the National Capital Commission for the fiscal year ended March 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, as approved by Order in Council P.C. 1976-996, dated April 27, 1976.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, May 13, 1976

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Standing Committee on National Finance for the proposed expenditures of the said Committee on National Finance with regard to its examination and consideration of such legislation and other matters as may be referred to it, authorized by the Senate on 5th December, 1974. The said supplementary budget is as follows:

Professional and Special Services	\$27,245.00
Other Expenditures	6,000.00
	<hr/>
	\$33,245.00

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, May 13, 1976

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Standing Senate Committee on Banking, Trade

and Commerce for the proposed expenditures of the said Committee on Banking, Trade and Commerce, for the purposes of its examination and consideration of such legislation and other matters as may be referred to it, authorized by the Senate on November 19, 1975. The said supplementary budget is as follows:

Professional and Special Services	\$32,200
Transportation and Communications	4,540
Other	11,080
	<hr/>
	\$47,820

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled the following Report:—

THURSDAY, May 13, 1976

The Standing Committee on Internal Economy, Budgets and Administration has examined and approved the supplementary budget presented to it by the Chairman of the Special Committee of the Senate on Science Policy with respect to its consideration of Canadian Government and other expenditures on scientific activities and matters related thereto, as authorized by the Senate on the 24th July, 1975. The said supplementary budget is as follows:

Professional and Other Services	\$68,080
All Other Expenditures	4,000
	<hr/>
	\$72,080

Respectfully submitted,

KEITH LAIRD,
Chairman.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs which was authorized to examine and report upon the subject-matter of the Bill C-83, intituled: "An Act for the better protection of Canadian society against perpetrators of violent and other crime", in advance of the said Bill coming before the Senate, or any matter relating thereto, tabled an Interim Report of the said Committee thereon.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 868-869).

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting on Wednesday next, 19th May, 1976, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 18th May, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Stanbury, seconded by the Honourable Senator Greene, P.C., for the second reading of the Bill C-89, intituled: "An Act to amend the Anti-Inflation Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Thompson moved, seconded by the Honourable Senator Carter, that the Bill S-34, intituled: "An Act to amend the Aeronautics Act", be read the second time.

After debate,

The Honourable Senator Macdonald for the Honourable Senator Grosart moved, seconded by the Honourable Senator Yuzyk, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Côtteau moved, seconded by the Honourable

Senator Lafond, that the Bill S-35, intituled: "An Act to amend an Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act", be read the second time.

After debate,

The Honourable Senator Macdonald for the Honourable Senator Phillips moved, seconded by the Honourable Senator Fournier (*Madawaska-Restigouche*), that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Benidickson, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 866)

Thursday, May 13, 1976.

The Standing Senate Committee on Legal and Constitutional Affairs to which was referred the subject-matter of Bill C-83, intituled: "An Act for the better protection of Canadian society against perpetrators of violent and other crime", has, in obedience to the Order of Reference of Thursday, March 4, 1976, undertaken a preliminary examination of the said subject-matter and now presents an Interim Report as follows:

1. FIREARMS AND OTHER OFFENSIVE WEAPONS

(Clause 3, pages 2-37)

In its preliminary examination of Bill C-83, your Committee notes that the proposed new Part II.1 of the *Criminal Code*, in Clause 3 of the Bill, which would replace all the provisions of the *Criminal Code* under the heading "Offensive Weapons", would add to the *Criminal Code* provisions that are regulatory and administrative rather than provisions of a criminal law nature, for example, the establishment of a licensing system and provisions relating to the carriage, handling and storage of firearms. Your Committee questions whether such provisions properly belong in the *Criminal Code*.

In this connection, your Committee draws attention to the following statement in a recent report, issued by the Law Reform Commission of Canada, entitled "Our Criminal Law".

"If criminal law's function is to reaffirm fundamental values, then it must concern itself with "real crimes" only and not with the plethora of "regulatory offences" found throughout our laws. Our Criminal Code should contain only such acts as are not only punishable but also *wrong*—acts contravening fundamental values. All other offences must remain outside the Code.

Nor is this classification a mere formality. It is not just calling some offences "crimes" and putting them in the Code and calling others "violations" or some other name and putting them somewhere else. Rather, it means dealing with the two under two distinct regimes. Real crimes need a criminal regime, violations a non-criminal regime."

2. USE OF WEAPON DURING COMMISSION OF AN OFFENCE

(Clause 3, page 11)

Your Committee notes that the use of a weapon during the commission of an offence will be an offence under the proposed legislation, but your Committee is also concerned with the possibility that serious conse-

quences may occur when a person is in possession of a weapon during the commission of an offence, whether or not he intends to use it.

It is, therefore, recommended that consideration be given to amending the proposed new section 98, in clause 3 of the Bill, by adding thereto a provision that anyone who has upon his person an offensive weapon while committing or attempting to commit an indictable offence or during his flight after committing or attempting to commit an indictable offence, whether or not he intends to use it to cause bodily harm to any person, is guilty of an indictable offence and is liable to imprisonment for five years or is guilty of an offence punishable on summary conviction.

Your Committee also recommends that it be further provided in the proposed new section 98 that where one of two or more persons, with the knowledge and consent of the rest, has an offensive weapon upon his person while committing or attempting to commit an indictable offence or during his flight after committing or attempting to commit an indictable offence, it shall be deemed to be upon the person of each and all of them.

3. DANGEROUS USE OF FIREARMS

(Clause 3, page 12)

Your Committee recognizes that the practice of using and storing firearms varies greatly in different regions of the country. In those areas where firearms are part of the everyday life of the residents, the use of firearms is accompanied by a knowledge of, and respect for, its dangers. In such regions it may be both difficult and unnecessary to take the precautions that in other regions, particularly in urban areas, would be reasonable and desirable.

It is, therefore, recommended that consideration be given to amending the proposed new subsection 99(2), in clause 3 of the Bill, by adding thereto a requirement that local circumstances, traditions and practices be taken into consideration by the courts when determining whether a firearm or ammunition has been used or stored in a careless manner or without taking reasonable precautions for the safety of other persons.

4. NOTIFICATION OF INTERCEPTED COMMUNICATION

(Clause 10, page 40)

Your Committee is of the opinion that the provision in the present legislation requiring notification to a person who has been the object of an intercepted communication should not simply be repealed, but should be replaced by a provision that would ensure that the required notification does not interfere with proper

investigation by law enforcement authorities of the activities of organized crime and professional criminals.

It is, therefore, recommended that consideration be given to a provision that would amend the proposed new section 178.23, in clause 10 of the Bill, to permit a judge to grant one extension not exceeding 90 days of the period within which notification is required and to permit two judges to grant any additional extensions of that period or to eliminate entirely the requirement for notification.

5. REVIEW FOR PAROLE

(Clause 11, page 46)

Your Committee draws attention to the proposed new section 695.1, in clause 11 of the Bill, which provides that, where a person has been found to be a dangerous offender and has been sentenced for an indeterminate period, the case will be reviewed by the National Parole Board within three years after the person was taken into custody and, thereafter, not later than every two years for the purpose of determining whether the person should be granted parole.

Under this provision, where a sentence has been imposed for an offence and the minimum period that must be served before eligibility for parole is longer than three years, it is possible for the person who was convicted of the offence and who was found to be a dangerous offender to be released sooner than another person who was convicted of the same offence but who was not found to be a dangerous offender.

Your Committee, therefore, suggests that consideration be given to an amendment to the Bill that would provide that where a person has been convicted of an offence and has been found by the Court to be a dangerous offender the person would be required to serve a determinate sentence for the offence followed by an indeterminate sentence as a dangerous offender.

Your Committee also recommends that the Bill be further amended to provide that where a person has been sentenced for an indeterminate period as a dangerous offender, the National Parole Board shall, for the purpose of determining whether the person should be granted parole under the *Parole Act*, review the case not later than the end of the period required to be served for the offence for which the person has been sentenced before becoming eligible for parole, or three years, whichever is longer.

6. TRANSITIONAL

(Clause 12, page 47)

Your Committee is of the opinion that because of the significant differences between the present law in respect of habitual offenders and dangerous sexual offenders and the provisions in Bill C-83 in respect of dangerous offenders a review should be carried out

with respect to all such offenders who are at the present time in custody under sentences of detention to determine which inmates do not fall within the terms of the description of a dangerous offender in proposed new paragraphs 688(a) and (b) in clause 23 of the Bill. Such inmates should be released if they have served a reasonable period of time in prison for the offences they committed.

7. SPECIAL APPLICATION OF REGULATIONS

(Clause 23, page 60)

Your Committee understands that the proposed new subsection 9(2) of the *Parole Act*, added by clause 23 of the Bill, is a transitional provision intended to provide for the application of regulations in various provinces as and when the parole boards in those provinces are appointed and become operative, pursuant to the proposed new section 5.1 of the *Parole Act* in clause 20 of the Bill. Your Committee, however, is concerned that the transitional nature of this provision is not reflected in the Bill.

Your Committee, therefore, would like to see the proposed new subsection 9(2) of the *Parole Act* amended so that its effect would be limited to the period of time and the circumstances for which it is intended since your Committee considers that it would be undesirable and could be discriminatory if a regulation governing parole were to be applied, after the transitional period, to inmates in certain regions of the country and not to inmates generally in all parts of the country.

8. PERSONAL INTERVIEW FOR PAROLE

(Clause 25, page 61)

Your Committee is of the opinion that consideration should be given to amending clause 25 of the Bill by adding a provision that would give an inmate the right to a personal interview following his application for parole to the National Parole Board at the time that he first becomes eligible for parole.

9. PAROLE BY EXCEPTION

Your Committee notes that the National Parole Board will no longer be permitted, where special circumstances exist, to grant parole by exception to an inmate before the inmate's eligibility date has been reached, as is now provided for by regulation.

Your Committee is of the opinion that the National Parole Board should retain this right, which, although exercised infrequently, permits flexibility in those situations where parole by exception is warranted.

Respectfully submitted,

H. CARL GOLDENBERG,
Chairman.



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Journals of the Senate

No. 191

Tuesday, 18th May, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Davey,	Godfrey,	Lucier,	Phillips,
Austin,	Denis,	Goldenberg,	Macdonald,	Quart,
Barrow,	Deschatelets,	Graham,	Macnaughton,	Riley,
Basha,	Desruisseaux,	Greene,	Manning,	Robichaud,
Beaubien,	Eudes,	Grosart,	McDonald,	Rowe,
Bourget,	Everett,	Haig,	McElman,	Smith
Buckwold,	Flynn,	Hayden,	McGrand,	(Colchester),
Burchill,	Forsey,	Hays,	McIlraith,	Sparrow,
Cameron,	Fournier	Lafond,	McNamara,	Stanbury,
Carter,	(de Lanaudière),	Laird,	Michaud,	Sullivan,
Choquette,	Fournier	Lamontagne,	Molgat,	Thompson,
Connolly	(Madawaska-	Lang,	Molson,	van Roggen,
(Ottawa West),	Restigouche),	Langlois,	Neiman,	Walker,
Cook,	Fournier	Lapointe,	Paterson,	Williams,
Côté,	(Restigouche-	Lawson,	Perrault,	Yuzyk.
Cottreau,	Gloucester),	Lefrançois,		
Croll,				

PRAYERS.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Flynn, P.C.:

That a message be sent to *Les Canadiens* congratulating the team on the outstanding performance throughout the hockey season and during the playoff games and for the honour they have brought to Canada in again winning the Stanley Cup and bringing it back home.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, May 11, 1976

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Allard has been substituted for that of Mr. Laprise on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons

Ordered, That the Message do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Agreement between the Government of Canada and the Government of Spain for Co-operation in the Development and Application of Atomic Energy for Peaceful Purposes. Done at Madrid, July 7, 1975. In force April 21, 1976.

Report on the Operation of Agreements with the Provinces under the *Hospital Insurance and Diagnostic Services Act* for the fiscal year ended March 31, 1975, pursuant to section 9 of the said Act, Chapter H-8, R.S.C., 1970.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Thompson, seconded by the Honourable Senator Carter, for the second reading of the Bill S-34, intituled: "An Act to amend the Aeronautics Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Thompson moved, seconded by the Honourable Senator Carter, that the Bill be re-

ferred to the Standing Senate Committee on Transport and Communications.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Cottreau, seconded by the Honourable Senator Lafond, for the second reading of the Bill S-35, intituled: "An Act to amend an Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Cottreau moved, seconded by the Honourable Senator McDonald, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Stanbury, seconded by the Honourable Senator Greene, P.C., for the second reading of the Bill C-89, intituled: "An Act to amend the Anti-Inflation Act".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the second time, on division.

The Honourable Senator Stanbury moved, seconded by the Honourable Senator Goldenberg, that the Bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 192

Wednesday, 19th May, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bourget,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,
Côté,

Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Duggan,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hayden,
Hays,
Hicks,
Lafond,
Laird,
Lamontagne,
Lang,

Lapointe,
Lawson,
Lefrançois,
Lucier,
Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Neiman,
Norrie,
Paterson,

Perrault,
Petten,
Phillips,
Quart,
Riley,
Robichaud,
Rowe,
Smith
(Colchester),
Sparrow,
Stanbury,
Sullivan,
Thompson,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of document entitled "Proposals to correct certain anomalies, inconsistencies, archaisms, errors and other matters of a non-controversial and uncomplicated nature in the *Revised Statutes of Canada 1970* and other Acts subsequent to 1970", issued by the Department of Justice.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred the Bill C-89, intituled: "An Act to amend the Anti-Inflation Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Hayden moved, seconded by the Honourable Senator Denis, P.C., that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Haig from the Standing Senate Committee on Transport and Communications to which was referred the Bill S-34, intituled: "An Act to amend the Aeronautics Act", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator Thompson moved, seconded by the Honourable Senator McElman, that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

Pursuant to the Order of the Day, the Honourable Senator Côtteau moved, seconded by the Honourable Senator Carter, that the Bill S-35, intituled: "An Act to amend an Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act", be read the third time.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That the Clerk do go down to the House of Commons and acquaint that House that the Senate have passed this Bill to which they desire their concurrence.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Croll called the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Carter, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Denis, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 193

Thursday, 20th May, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Côté,	Fournier	Laird,	Neiman,
Austin,	Cottreau,	(<i>Restigouche-</i>	Lamontagne,	Norrie,
Barrow,	Croll,	<i>Gloucester</i>),	Lang,	Petten,
Basha,	Davey,	Godfrey,	Langlois,	Phillips,
Beaubien,	Denis,	Goldenberg,	Lapointe,	Quart,
Bourget,	Deschatelets,	Graham,	Lefrançois,	Riley,
Buckwold,	Desruisseaux,	Greene,	Lucier,	Robichaud,
Burchill,	Duggan,	Grosart,	Macdonald,	Rowe,
Cameron,	Eudes,	Haig,	Macnaughton,	Smith
Carter,	Flynn,	Hayden,	McDonald,	(<i>Colchester</i>),
Choquette,	Forsey,	Hays,	McElman,	Sparrow,
Cook,	Fournier	Hicks,	McGrand,	Walker,
	(<i>de Lanaudière</i>),	Lafond,	McNamara,	Yuzk.

PRAYERS.

Statement by the Honourable the Speaker.

Re: The Budget Speech—Accommodation for Senators in the Senate Gallery of the House of Commons.

"Honourable Senators, as previously announced, the Minister of Finance will deliver his Budget Speech in the other place on Tuesday next, May 25th, at eight o'clock in the evening.

May I be permitted to remind the Honourable Senators that none but Senators will be admitted to the Senate Gallery of the House of Commons on that occasion. This step is being taken for the purpose of providing accommodation in the Gallery for as many Senators as possible. In this manner, Senators will not be excluded from the Gallery on account of many of the places being occupied by relatives and friends of Senators.

May I add that such instructions were first issued in 1931 by the then Speaker of the Senate, the Honourable P. E. Blondin, and that this practice has been followed ever since by succeeding Speakers".

RENAUDE LAPOINTE,
Speaker of the Senate.

The Honourable Senator Langlois laid on the Table the following:—

Auditor General's Report to the Minister of Manpower and Immigration on the examination of the accounts and financial statements of the Unemployment Insurance Commission for the year ended December 31, 1975, pursuant to section 138 of the *Unemployment Insurance Act*, 1971, Chapter 48, Statutes of Canada, 1970-71-72.

Report, dated March 1976, of the Law Reform Commission of Canada entitled "Sunday Observance", pursuant to section 18 of the *Law Reform Commission Act*, Chapter 23 (1st Supplement), R.S.C., 1970, together with explanatory notes.

"Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations", dated May 1976.

Pursuant to the Order of the Day, the Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-89, intituled: "An Act to amend the Anti-Inflation Act", be read the third time.

After debate,

In amendment, the Honourable Senator Asselin, P.C., moved, seconded by the Honourable Senator Phillips, that the Bill be not now read the third time but that it be amended as follows:—

Page 7: Strike out lines 10 to 23 and substitute therefor the following:

"(2) This Act expires on May 1, 1977, or on such earlier date as may be fixed by proclamation or a motion taken up and considered by the House of Commons that is adopted by the House and concurred in, by the Senate pursuant to subsections (8) and (9) unless, before May 1, 1977, or any earlier date fixed by proclamation or any such motion that is so adopted by the House and concurred in by the Senate, an Order in Council is made to the effect that this Act shall continue in force for such period of time as may be set out in the Order in Council."

The question being put on the motion, in amendment, it was—

Resolved in the negative, on division.

The question then being put on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Bourget, P.C., for the third reading of the Bill, it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE
OTTAWA

MAY 20, 1976

Madam,

I have the honour to inform you that the Hon. Louis-Philippe de Grandpré, C.C., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 20th day of May, at 5.45 p.m. for the purpose of giving Royal Assent to a bill.

I have the honour to be,
Madam,
Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE,
Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

An inquiry standing in the name of the Honourable Senator Macnaughton, P.C., being called,

It was—

Ordered, That it be postponed until Tuesday, 8th June, 1976.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 25th May, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 2.30 p.m.

The sitting of the Senate was resumed. 5.50 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile the Honourable Louis-Philippe de Grandpré, C.C., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Honourable the Speaker said—

"Honourable Members of the Senate:

Members of the House of Commons:

I have the honour to inform you that His Excellency the Governor General has been pleased to cause Letters Patent to be issued under His Sign Manual and Signet constituting the Honourable Louis-Philippe de Grandpré, C.C., Puisne Judge of the Supreme Court of Canada, his Deputy, to do in His Excellency's name all acts on his part necessary to be done during His Excellency's pleasure."

The said Commission was then read by the Clerk Assistant as follows:—

CANADA

JULES LÉGER
(G.S.)

BY HIS EXCELLENCY the Right Honourable JULES LÉGER, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Governor General and Commander-in-Chief of Canada.

TO THE HONOURABLE LOUIS-PHILIPPE de GRANDPRÉ, C.C., a Puisne Judge of the Supreme Court of Canada,

GREETING:

KNOW YOU that being well assured of your loyalty, fidelity and capacity, I, the Right Honourable Jules Léger, Governor General of Canada, under and by virtue of and in pursuance of the power and authority vested in me by the Commission of Her Majesty Queen Elizabeth II, under the Great Seal of Canada, dated October 5, 1973, constituting and appointing me to be Governor General of Canada do hereby nominate, constitute and appoint you the said Louis-Philippe de Grandpré, C.C., to be my Deputy within Canada and in that capacity to exercise, subject to any limitations or directions from time to time expressed or given by Her Majesty, all the powers, authorities and functions vested in and of right exercisable by me as Governor General, saving and excepting the power of dissolving the Parliament of Canada.

PROVIDED ALWAYS that the appointment of my said Deputy shall not affect the exercise of any such power, authority or function by me, the said the Right Honourable Jules Léger, in person.

AND PROVIDED ALWAYS, that you the said Louis-Philippe de Grandpré, shall, during your continuance as my Deputy obey all such orders and instructions as you shall from time to time receive from me.

GIVEN under by hand and seal at Ottawa, this fourteenth day of January in the year of Our Lord one thousand nine hundred and seventy-four and in the twenty-second year of Her Majesty's Reign.

BY COMMAND,

P. M. PITFIELD,
Deputy Registrar General of Canada.

Ordered, That the commission be placed upon the Journals.

The Clerk Assistant read the title of the Bill to be assented to, as follows:—

An Act to amend the Anti-Inflation Act.

To this Bill the Royal assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to this Bill."

The Commons withdrew.

After which the Honourable the Deputy to His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

The Honourable Senator Petten moved, seconded by the Honourable Senator McDonald,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 194

Tuesday, 25th May, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bell,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,

Côté,
Cottreau,
Croll,
Denis,
Deschatelets,
Duggan,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Restigouche-
Gloucester),

Godfrey,
Goldenberg,
Greene,
Grosart,
Hayden,
Hays,
Hicks,
Lafond,
Lamontagne,
Lang,
Lapointe,
Lefrançois,
Macdonald,

Macnaughton,
Manning,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,
Norrie,
Paterson,
Perrault,
Petten,
Phillips,
Quart,

Riley,
Robichaud,
Rowe,
Smith
(Colchester),
Smith
(Queens-
Shelburne),
Sparrow,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Order in Council P.C. 1976-1023, dated May 6, 1976, amending Part I of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Report of the Unemployment Insurance Advisory Committee on the Appeal System, dated February 13, 1976, pursuant to section 109(5) of the *Unemployment Insurance Act*, 1971, Chapter 48, Statutes of Canada, 1970-71-72, together with a letter from the Minister to the Chairman of the Committee.

Report of the Asbestosis Working Group, Subcommittee on Environmental Health, Department of National Health and Welfare, dated February 15, 1976.

Report of the Canadian National Railways for the year ended December 31, 1975, pursuant to section 40 of the *Canadian National Railways Act*, Chapter C-10, R.S.C., 1970.

Auditors' report to Parliament on the accounts of the Canadian National Railway System for the year ended December 31, 1975, pursuant to section 40 of the *Canadian National Railways Act*, Chapter C-10, R.S.C., 1970.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until Tuesday, 22nd June, 1976.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Austin resumed the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Buckwold, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Hayden,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 195

Wednesday, 26th May, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Godfrey,	Macdonald,	Quart,
Austin,	Cottreau,	Goldenberg,	Macnaughton,	Riley,
Barrow,	Croll,	Graham,	Manning,	Robichaud,
Basha,	Davey,	Greene,	McGrand,	Rowe,
Beaubien,	Denis,	Grosart,	McIlraith,	Smith
Bélisle,	Deschatelets,	Hayden,	McNamara,	(Colchester),
Bell,	Duggan,	Hays,	Michaud,	Smith (Queens-
Bourget,	Eudes,	Hicks,	Molson,	Shelburne),
Buckwold,	Flynn,	Lafond,	Neiman,	Sparrow,
Burchill,	Forsey,	Lamontagne,	Norrie,	van Roggen,
Cameron,	Fournier	Lang,	Perrault,	Walker,
Carter,	(de Lanaudière),	Langlois,	Petten,	Williams,
Choquette,	Fournier	Lapointe,	Phillips,	Yuzyk.
Connolly	(Restigouche-	Lefrançois,		
(Ottawa West),	Gloucester),			

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Capital Budgets of the Atlantic Pilotage Authority, the Laurentian Pilotage Authority, the Great Lakes Pilotage Authority, Ltd., and the Pacific Pilotage Authority for the fiscal year 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-986, dated April 27, 1976, approving same.

Copies of report of the Canada Pension Plan Advisory Committee entitled "Analysis of Certain Proposals for Amending the Canada Pension Plan", dated April 1, 1976.

Budget Papers, dated May 25, 1976, as follows:—

- (1) Notice of Ways and Means Motion to amend the Customs Tariff.
- (2) Notice of Ways and Means Motion to amend the Income Tax Act.
- (3) Notice of Ways and Means Motion to amend the Income Tax Application Rules, 1971.
- (4) Notice of Ways and Means Motion to amend the Excise Tax Act.
- (5) Statement of Financial Transactions for 1975-76.
- (6) Capital Cost Allowances.
- (7) Charities under the Income Tax Act.
- (8) Supplementary Information on Compensation Aspects of the Anti-Inflation Program, small business deductions, air transportation tax, et cetera.
- (9) Supplementary information on Government of Canada Accounts, Tables 1 to 7.
- (10) Document entitled "Outlines of Proposed Modifications in Price and Profit Guidelines under the Anti-Inflation Act", dated May 25, 1976.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Forsey called the attention of the Senate to the proposed incorporation of Loto Canada.

After debate,

The Honourable Senator Hicks moved, seconded by the Honourable Senator Deschatelets, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Goldenberg called the attention of the Senate to the Interim Report of the Standing Senate Committee on Legal and Constitutional Affairs on the subject-matter of the Bill C-83, intituled: "An Act for the better protection of Canadian society against perpetrators of violent and other crime", tabled in the Senate on 13th May, 1976.

After debate,

The Honourable Senator Smith (Colchester) moved, seconded by the Honourable Senator Quart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 196

Thursday, 27th May, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lefrançois,	Phillips,
Austin,	Côté,	(<i>Restigouche-</i>	Macdonald,	Quart,
Barrow,	Cottreau,	<i>Gloucester</i>),	Macnaughton,	Riley,
Basha,	Croll,	Godfrey,	Manning,	Robichaud,
Beaubien,	Davey,	Graham,	McGrand,	Rowe,
Bell,	Deschatelets,	Grosart,	McIlraith,	Smith
Buckwold,	Eudes,	Hicks,	McNamara,	(<i>Colchester</i>),
Burchill,	Flynn,	Lafond,	Michaud,	Smith (<i>Queens-</i>
Cameron,	Forsey,	Lamontagne,	Molson,	<i>Shelburne</i>),
Carter,	Fournier	Lang,	Neiman,	Sparrow,
Choquette,	(<i>de Lanaudière</i>),	Langlois,	Perrault,	van Roggen,
Connolly		Lapointe,	Petten,	Walker,
(<i>Ottawa West</i>),				Zuzyk.

PRAYERS.

The Honourable the Speaker informed the Senate that, in conformity with Rule 112, the Clerk of the Senate had laid on the Table a detailed statement of his receipts and disbursements for the fiscal year 1975-76.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Clerk's Accounts be referred to the Standing Committee on Internal Economy, Budgets and Administration.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Minister of Finance respecting Olympic coins for the six months ended March 31, 1976, pursuant to sections 13(1) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

The Honourable Senator Sparrow, Deputy Chairman, from the Standing Senate Committee on National Finance, which was authorized to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending the 31st March, 1977, in advance of bills based upon the said Estimates reaching the Senate, presented to the Senate the Report of the said Committee on the said Estimates.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See *Appendix to the Journals of the Senate of this day at pages 888-890*).

The Honourable Senator Sparrow moved, seconded by the Honourable Senator Riley, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday, 8th June, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the proposed incorporation of Loto Canada.

After debate,

The Honourable Senator Deschatelets, P.C., moved, seconded by the Honourable Senator Neiman, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Goldenberg calling the attention of the Senate to the Interim Report of the Standing Senate Committee on Legal and Constitutional Affairs on the subject-matter of the Bill C-83, intituled: "An Act for the better protection of Canadian society against perpetrators of violent and other crime", tabled in the Senate on 13th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., called the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976.

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Grosart, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 886)

Thursday, May 27, 1976.

during recent years compared with those earlier in the decade when they were on average about 10 per cent.

The Standing Senate Committee on National Finance to which the Estimates laid before Parliament for the fiscal year ending the 31st of March, 1977, were referred, has in obedience to the order of reference of Thursday, the 19th of February, 1976, examined the said Estimates and reports as follows:

1. Your committee was authorized by the Senate as recorded in the Minutes of the Proceedings of the Senate of the 19th of February 1976 "to examine and report upon the expenditures proposed by the Estimates laid before Parliament for the fiscal year ending the 31st of March 1977, in advance of bills based upon the said Estimates reaching the Senate."

2. In obedience to the foregoing your committee made a general examination of the Estimates and heard evidence from the Honourable J. Chrétien, President of Treasury Board and Mr. B. A. MacDonald, Deputy Secretary, Treasury Board.

3. The Main Estimates for 1976-77 in total amount to \$39,545 million. Budgetary estimates account for \$38,417 million and non-budgetary estimates (loans, investments and advances) account for \$1,128 million. The Old Age Security Fund ceased to exist in June 1975, and these payments and those for the Guaranteed Income Supplement are included in the 1976-77 Estimates for the first time. Statutory payments make up 56.9 per cent of the total budgetary estimates, \$21,847 million. The remainder \$16,570 million represents funds for which Parliament is asked to provide new authority. In the 1975-76 fiscal year the Main Estimates, which did not include Old Age Security and Guaranteed Income Supplement payments, amounted to \$29,585 million. This sum was increased to \$32,257 million by two supplementary estimates. The budgetary estimates accounted for \$30,755 million which provided \$15,010 million to meet statutory obligations and \$15,745 million for proposed new expenditures. Non-budgetary items totaled \$1,502 million.

4. As will be apparent from the table which follows, the Main Budgetary Estimates 1976-77 (\$38,417 million) are \$6,207 million or 19.3 per cent higher than the Main Budgetary Estimates 1975-76. This increase does compare favourably with the percentage increase of 26.5 per cent requested in the Main Estimates 1975-76 over Main Estimates 1974-75. Your committee however continues to be concerned by the size of the increases

BUDGETARY ESTIMATES

(including OAS and GIS)

(millions of dollars)

Fiscal Year Ending	Main Estimates	% Increase Over Previous Year
	\$	
March 31, 1969	12,212	—
March 31, 1970	13,588	11.3
March 31, 1971	14,817	9.0
March 31, 1972	16,557	11.1
March 31, 1973	18,273	10.4
March 31, 1974	21,427	17.3
March 31, 1975	25,467	18.9
March 31, 1976	32,210	26.5
March 31, 1977	38,417	19.3

5. The new summary table in the Blue Book of Estimates, table 7 (pages 1-62) has been introduced largely in response to comments in previous reports of your committee. This table classifies Budgetary Estimates and Forecast Expenditures by type of payments. The principal headings of this table with the relevant amounts and percentage distribution are:

Estimates by Type of Payment

(millions of dollars)

	Estimates 1976-77 \$	Forecast Expenditures 1975-76* \$	Percentage Distribution of total 1976-77 Estimates %
Payments to persons	9,077.4	7,722.0	23.6
Payments to other levels of government	8,108.8	7,131.5	21.1
Operating and Capital expenditures of departments and agencies, non-defence	8,095.7	6,879.7	21.1
Public Debt	4,650.0	3,775.0	12.1

Estimates by Type of Payment

(millions of dollars)

	Estimates	Forecast Expenditures	Percentage Distribution of total 1976-77 Estimates
	1976-77	1975-76*	%
	\$	\$	%
Subsidies and other transfer payments	4,160.1	4,558.8	10.8
Department of National Defence	3,371.1	2,976.6	8.8
Payments to certain agency and proprietary corporations	954.0	795.9	2.5
TOTAL	38,417.1	33,839.5	100.0

*Total 1975-76 Expenditures forecast as at December 31, 1975.

6. The fact that statutory payments now make up 56.9 per cent of the total Estimates effectively limits the effort of the Treasury Board to control expenditures. Entrenched Acts should be regularly reviewed. The Minister assured the committee that many programs are being reviewed and where a change in legislation is indicated it will be undertaken.

7. Your committee is equally concerned about the continued growth in the Public Service. The number of continuing employees on strength on September 30, 1975 was 305,470. The number of planned continuing employees on March 31, 1976 was 322,507. For 1976-77 authority is requested for a total of 349,345 man-years, that is an increase of 4,007 man-years or 1.3 per cent. This modest net-growth in man-years was achieved by reducing staff in many departments to compensate for increases considered to be essential, chiefly in four departments, Post Office, National Revenue, Manpower and Immigration (including the Unemployment Insurance Commission) and Solicitor-General.

8. Three other major subjects of concern were discussed with the President of the Treasury Board and his officials.

(a) The recommendation that the annual increase in federal government expenditures should not exceed the annual increase in the Gross National Product has been repeatedly made by this committee. The Minister pointed out that if the transfer payment for the stabilization of the price of oil, an amount of \$1,410 million (Oil Compensation Payments) was excluded from the Main Estimates 1976-77, the increase for the year would be almost exactly the

same as the anticipated increase in the Gross National Product. The effect of many actions taken to slow the accelerating rate of federal expenditures should be more evident next year. The committee was assured that the anticipated over-all increase in 1977-78 should be substantially lower than 16 per cent.

(b) On many occasions in the past your committee has expressed dissatisfaction with the continuation of the practice of providing authority through an Appropriation Act which negates the provision of the Financial Administration Act that spending authority should lapse at year-end. Officials of the Treasury Board told the committee that the Canadian International Development Agency (CIDA) is the only remaining significant expenditure program for which such authority is given. Improved planning and management of CIDA programs has reduced the accumulated amount for which prior expenditure authority existed. It is expected that this 'aid pipeline' will be exhausted this year. Future planning for CIDA will be based more reliably on cash flow needs and appropriations will be made accordingly. Other smaller non-lapsing expenditure authorities include the National Capital Fund and the purchase accounts of the museums. The total unliquidated expenditure authority for these is in the order of a very few millions. Non-lapsing authority was most frequently related to loan programs particularly loans to Crown corporations. To promote realistic planning there has been concerted action by the Treasury Board to cut out this type of loan provision.

(c) The Treasury Board plans to include in the Blue Book of Estimates for the fiscal year 1977-78 a more informative presentation of non-budgetary expenditures. Loans to all Crown corporations will be shown. The present practice is to show only those loans for which other authorization does not exist. This change reflects a concern which the committee has expressed many times in the past.

9. In comparing the Main Estimates for 1976-77 with the final authorization shown for 1975-76 some of the major increases are as follows:

Increases in Statutory Items	(\$ in millions)
Public Debt	875.
Unemployment Insurance Contributions	810.
Old Age Security Payments	377.
Hospital Insurance Contributions	325.
Canada Assistance Plan Payments	172.
Fiscal Transfer Payments	169.
Medical Care Contributions	160.
Payments in connection with the Two-Price Wheat Program	105.

Increases in Items to be Voted	(\$ in millions)	Increases in Non-Budgetary Items	(\$ in millions)
Defence Services	395.		
Post Office	204.	Energy Mines and Resources	89.
Central Mortgage and Housing Corporation	89.		
Veterans Affairs	88.	Central Mortgage and Housing Corporation	60.
Royal Canadian Mounted Police	65.		
Northern Affairs	57.		
Statistics Canada	53.		
Marine Transportation Program	53.		
Air Transportation Program	51.		
Surface Transportation Program	42.		

Respectfully submitted.

H. Sparrow,
Deputy Chairman.



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Journals of the Senate

No. 197

Tuesday, 8th June, 1976

8.00 o'clock p.m.

The Honourable MAURICE BOURGET, P.C., Speaker, *pro tem*

The Members convened were:

The Honourable Senators

Argue,	Côté,	Fournier	Langlois,	Petten,
Asselin,	Cottreau,	(<i>Restigouche-</i>	Lefrançois,	Phillips,
Austin,	Croll,	<i>Gloucester</i>),	Macdonald,	Quart,
Barrow,	Davey,	Godfrey,	Macnaughton,	Riley,
Basha,	Denis,	Goldenberg,	Manning,	Robichaud,
Beaubien,	Deschatelets,	Graham,	McDonald,	Rowe,
Bélisle,	Desruisseaux,	Greene,	McGrand,	Smith
Bell,	Eudes,	Grosart,	McIlraith,	(<i>Queens-</i>
Bourget,	Flynn,	Haig,	McNamara,	<i>Shelburne</i>),
Burchill,	Forsey,	Hayden,	Michaud,	Stanbury,
Cameron,	Fournier	Hicks,	Molgat,	Sullivan,
Carter,	(<i>de Lanaudière</i>),	Lafond,	Molson,	Thompson,
Choquette,	Fournier	Laird,	Neiman,	Walker,
Connolly	(<i>Madawaska-</i>	Lamontagne,	Norrie,	Yuzyk.
(<i>Ottawa West</i>),	<i>Restigouche</i>),	Lang,	Paterson,	
Cook,				

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Flynn, P.C.:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Bourget, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator Bourget, P.C., took the Chair.

PRAYERS

Tribute was paid to the memory of the Honourable W. Ross Macdonald, P.C., whose death occurred May 28th, 1976.

A Message was brought from the House of Commons by their Clerk in the following words:—

TUESDAY, May 25, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Laprise has been substituted for that of Mr. Allard on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, June 3, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Allard has been substituted for that of Mr. Laprise on the list of Members appointed to serve on the Standing Joint Committee on Regulations and other Statutory Instruments.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

Messages were brought from the House of Commons by their Clerk to return the following Bills,

And to acquaint the Senate that the Commons have passed these Bills without amendment:

Bill S-33, intituled: "An Act respecting United Grain Growers Limited".

Bill S-34, intituled: "An Act to amend the Aeronautics Act".

A Message was brought from the House of Commons by their Clerk with a Bill C-81, intituled: "An Act to amend the Senate and House of Commons Act and the Supplementary Retirement Benefits Act with respect to the escalation of certain payments thereunder", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois laid on the Table the following:—

Report of the Postmaster General respecting Olympic coins for the period ended March 31, 1976, pursuant to sections 13(2) and 13(3) of the *Olympic (1976) Act*, Chapter 31, Statutes of Canada, 1973-74.

Copies of letters, dated May 12, 1976, from the Secretary of State of Canada to the ten provincial Ministers of Education respecting the financing of post-secondary education under the *Federal-Provincial Fiscal Arrangements Act, 1972*.

Supplementary Estimates (A) for the fiscal year ending March 31, 1977.

Report on the operations of the Exchange Fund Account, together with the Auditor General's report on the audit of the Account, for the year ended December 31, 1975, pursuant to sections 17 and 18(2) of the *Currency and Exchange Act*, Chapter C-39, R.S.C., 1970.

Report relating to the administration of the *Farmers' Creditors Arrangement Act* for the fiscal year ended March 31, 1976, pursuant to section 41(2) of the said Act, Chapter F-5, R.S.C., 1970.

Copies of Order in Council P.C. 1976-1151, dated May 18, 1976, amending Part I of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Copies of Report, dated April 1, 1976, of the Task Force on Polychlorinated Biphenyls to the Environmental Contaminants Committee of Environment Canada and Health and Welfare Canada entitled "Background to the Regulation of Polychlorinated Biphenyls (PCB) in Canada" (English), together with a Summary (English and French).

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator McDonald:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1977.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting tomorrow, Wednesday, 9th June, 1976, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the proposed incorporation of Loto Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976.

After debate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Croll, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending the 31st March, 1977.

The Honourable Senator Carter moved, seconded by the Honourable Senator Croll, that the Report be adopted now.

After debate,
The Honourable Senator Grosart moved, seconded by the Honourable Senator Macdonald, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,

With leave of the Senate,
The Honourable Senator Macdonald resumed the debate on the inquiry of the Honourable Senator Goldenberg calling the attention of the Senate to the Interim Report of the Standing Senate Committee on Legal and Constitutional Affairs on the subject-matter of the Bill C-83, intituled: "An Act for the better protection of Canadian society against perpetrators of violent and other crime", tabled in the Senate on 13th May, 1976.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Forsey called the attention of the Senate to the action of the Department of National

Revenue in the case of the Christian Evangelical Centre of Canada.

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Molson, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Molgat,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 198

Wednesday, 9th June, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lang,	Neiman,
Asselin,	Côté,	(<i>Restigouche-</i>	Langlois,	Norrie,
Austin,	Cottreau,	<i>Gloucester</i>),	Lapointe,	Paterson,
Barrow,	Croll,	Godfrey,	Lefrançois,	Petten,
Basha,	Davey,	Goldenberg,	Macdonald,	Riley,
Beaubien,	Denis,	Graham,	Macnaughton,	Robichaud,
Bélisle,	Deschatelets,	Greene,	Manning,	Rowe,
Bell,	Eudes,	Grosart,	McDonald,	Smith (<i>Queens-</i>
Bourget,	Flynn,	Haig,	McGrand,	<i>Shelburne</i>),
Burchill,	Forsey,	Hayden,	McIlraith,	Stanbury,
Cameron,	Fournier	Hicks,	McNamara,	Sullivan,
Carter,	(<i>de Lanaudière</i>),	Lafond,	Michaud,	Thompson,
Choquette,	Fournier	Laird,	Molgat,	Walker,
Connolly	(<i>Madawaska-</i>	Lamontagne,	Molson,	Yuzyk.
(<i>Ottawa West</i>),	<i>Restigouche</i>),			

PRAYERS.

The Honourable the Speaker laid on the Table copy of a letter dated March 18, 1976, from the Speaker of the House of Commons to the Prime Minister of Canada recommending that the East Block become a Parliamentary building.

The Honourable Senator Langlois laid on the Table the following:—

Report of the number and amount of loans to Indians made under section 70(1) of the *Indian Act* for the fiscal year ended March 31, 1976, pursuant to section 70(6) of the said Act, Chapter I-6, R.S.C., 1970.

Copies of a Study prepared by the Canadian Broadcasting Corporation, dated April 12, 1976, entitled "Television Coverage of Parliamentary Proceedings—Technical and Cost Profile".

Pursuant to the Order of the Day, the Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Bill C-81, intituled: "An Act to amend the Senate and House of Commons Act and the Supplementary Retirement Benefits Act with respect to the escalation of certain payments thereunder", be read the second time.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Croll, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending the 31st March, 1977.

After debate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the proposed incorporation of Loto Canada.

After debate,

With leave of the Senate,

On motion of the Honourable Senator Forsey the Order was discharged and the inquiry withdrawn.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Connolly, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 199

Thursday, 10th June, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lang,	Petten,
Asselin,	Côté,	(Restigouche-	Langlois,	Phillips,
Austin,	Cottreau,	Gloucester),	Lapointe,	Quart,
Barrow,	Davey,	Godfrey,	Lefrançois,	Riley,
Basha,	Denis,	Goldenberg,	Macdonald,	Robichaud,
Beaubien,	Deschatelets,	Graham,	Manning,	Rowe,
Bélisle,	Eudes,	Greene,	McDonald,	Smith (Queens-
Bell,	Flynn,	Grosart,	McGrand,	Shelburne),
Bourget,	Forsey,	Haig,	McIlraith,	Stanbury,
Burchill,	Fournier	Hayden,	McNamara,	Sullivan,
Cameron,	(de Lanaudière),	Hicks,	Michaud,	Thompson,
Carter,	Fournier	Lafond,	Molgat,	van Roggen,
Choquette,	(Madawaska-	Laird,	Molson,	Walker,
Connolly	Restigouche),	Lamontagne,	Neiman,	Yuzyk.
(Ottawa West),				

PRAYERS.

A Message was brought from the House of Commons by their Clerk to return the Bill S-35, intituled: "An Act to amend an Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act",

And to acquaint the Senate that the Commons have passed this Bill without amendment.

The Honourable Senator Langlois laid on the Table the following:—

Report of operations under the *Crop Insurance Act* for the fiscal year ended March 31, 1975, pursuant to section 13 of the said Act, Chapter C-36, R.S.C., 1970.

Copies of Treaty between Canada and Sweden concerning extradition, dated February 25, 1976.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 15th June, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting on Wednesday next, 16th June, 1976, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Laird, for the second reading of the Bill C-81, intituled: "An Act to amend the Senate and House of Commons Act and the Supplementary Retirement Benefits Act with respect to the escalation of certain payments thereunder".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Carter moved, seconded by the Honourable Senator Laird, that the Bill be committed to a Committee of the Whole for consideration at the next sitting of the Senate.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Croll, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending the 31st March, 1977,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public

service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation.

After debate,

The Honourable Senator Petten for the Honourable Senator Norrie moved, seconded by the Honourable Senator Langlois, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Denis, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.





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Journals of the Senate

No. 200

Tuesday, 15th June, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Croll,	Godfrey,	Lucier,	Phillips,
Austin,	Davey,	Goldenberg,	Macnaughton,	Riel,
Barrow,	Denis,	Greene,	Manning,	Riley,
Basha,	Deschatelets,	Grosart,	McDonald,	Robichaud,
Beaubien,	Desruisseaux,	Haig,	McElman,	Smith
Bonnell,	Eudes,	Hayden,	McGrand,	(Colchester),
Buckwold,	Everett,	Hays,	McIlraith,	Smith
Burchill,	Flynn,	Hicks,	McNamara,	(Queens-
Cameron,	Forsey,	Lafond,	Michaud,	Shelburne),
Choquette,	Fournier	Laird,	Molson,	Sparrow,
Connolly	(de Lanaudière),	Lamontagne,	Neiman,	Stanbury,
(Ottawa West),	Fournier	Lang,	Norrie,	Thompson,
Cook,	(Madawaska-	Langlois,	Paterson,	van Roggen,
Côté,	Restigouche),	Lapointe,	Perrault,	Walker,
Cottreau,	Fournier	Lefrançois,	Petten,	Yuzyk.
	(Restigouche-			
	Gloucester),			

PRAYERS.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE
OTTAWA

JUNE 15, 1976

Madam,

I have the honour to inform you that the Hon. Jean Beetz, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 15th day of June, at 9.45 p.m. for the purpose of giving Royal Assent to certain bills.

I have the honour to be,

Madam,

Your obedient servant.

EDMOND JOLY DE LOTBINIÈRE

Administrative Secretary to the Governor General

The Honourable

The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Environment Canada Surveillance Report, dated September 1975, entitled "Characterization of Wastewaters from the Great Canadian Oil Sands Bitumen Extraction and Upgrading Plant". (English text).

Copies of Environment Canada Surveillance Report, dated April 1976, entitled "Atmospheric Asbestos Fibre Concentrations in the Baie Verte Area, Newfoundland". (English text).

Copies of Report of the Anti-Inflation Board to His Excellency the Governor General in Council reporting its reference to the Administrator of the *Anti-Inflation Act* of the collective agreement between the International Nickel Company of Canada, Limited, Manitoba Division, and the employees represented by the United Steelworkers of America, Local 6166.

Report of the Department of Public Works for the fiscal year ended March 31, 1975, pursuant to section 34 of the *Public Works Act*, Chapter P-38, R.S.C., 1970.

Report on the administration of the *Canada Pension Plan* for the fiscal year ended March 31, 1975, pursuant to section 118, Chapter C-5, R.S.C., 1970.

Report of the Canadian National Railways Securities Trust for the year ended December 31, 1975, pursuant to section 17 of the *Canadian National Railways Capital Revision Act*, Chapter 311, R.S.C., 1952.

Copies of a Statement by the Prime Minister of Canada to the Conference of Federal and Provincial First Ministers held at Ottawa, June 14 and 15, 1976 entitled "Established Program Financing: A Proposal regarding the Major Shared-cost Programs in the fields of Health and Post-secondary Education".

Pursuant to the Order of the Day, the Senate was adjourned during pleasure and put into a Committee of the Whole on consideration of the Bill C-81, intituled: "An Act to amend the Senate and House of Commons Act and the Supplementary Retirement Benefits Act with respect to the escalation of certain payments thereunder", the Honourable Senator Macnaughton, P.C., in the Chair.

—In the Committee—

The Title of the Bill was read and postponed.

Clause 1 of the Bill was read.

After debate, and—

The question of concurrence being put on Clause 1 of the Bill, it was—

Resolved in the affirmative.

Clause 2 of the Bill was read.

After debate, and—

The question of concurrence being put on Clause 2 of the Bill, it was—

Resolved in the affirmative, on division.

Clause 3 of the Bill was read.

The question of concurrence being put on Clause 3 of the Bill, it was—

Resolved in the affirmative.

The Title of the Bill was again read.

The question of concurrence being put on the Title of the Bill, it was—

Resolved in the affirmative.

After some time, the sitting was resumed, and—

The Honourable Senator Macnaughton, P.C., from the Committee, reported that they had taken the Bill into

consideration and had directed him to report the same to the Senate, without amendment.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Croll, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending the 31st March, 1977,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll, calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately nine forty o'clock, p.m., it was—

Resolved in the affirmative.

9.15 p.m.

The sitting of the Senate was resumed.

9.50 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Honourable Jean Beetz, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the titles of the Bills to be assented to, as follows:—

An Act to amend the Senate and House of Commons Act and the Supplementary Retirement Benefits Act with respect to the escalation of certain payments thereunder

An Act to amend the Aeronautics Act

An Act to amend an Act to repeal the Proprietary or Patent Medicine Act and to amend the Trade Marks Act

An Act respecting United Grain Growers Limited.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Goldenberg,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 201

Wednesday, 16th June, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Austin,
Barrow,
Basha,
Beaubien,
Bonnell,
Buckwold,
Burchill,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Cook,

Cottreau,
Croll,
Davey,
Denis,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),
Fournier
(Restigouche-
Gloucester),

Godfrey,
Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hayden,
Hicks,
Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,
Lefrançois,

Lucier,
Macnaughton,
Manning,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molson,
Neiman,
Norrie,
Paterson,
Perrault,
Petten,

Phillips,
Quart,
Riel,
Riley,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Sparrow,
Stanbury,
Thompson,
van Roggen,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of Telesat Canada for the year ended December 31, 1975, including its accounts and financial statements certified by the Auditors, pursuant to section 37 of the *Telesat Canada Act*, Chapter T-4, R.S.C., 1970.

Report of the Textile and Clothing Board, dated May 26, 1976, on an inquiry respecting leather outerwear.

Copies of Order in Council P.C. 1976-1284, dated June 1, 1976, amending Part I of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

With leave of the Senate,
The Honourable Senator Everett moved, seconded by the Honourable Senator Lang:

That the Standing Senate Committee on National Finance be authorized to publish and distribute its report on the Estimates of the Manpower Division of the Department of Manpower and Immigration for the fiscal year ended the 31st March, 1975, as soon as it becomes available, even though the Senate may not then be sitting.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation.

After debate,

The Honourable Senator Forsey moved, seconded by the Honourable Senator Argue, that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Carter resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Croll, for the adoption of the Report of the Standing Senate Committee on National Finance on the Estimates laid before Parliament for the fiscal year ending the 31st March, 1977.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll, calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 202

Thursday, 17th June, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Croll,	Godfrey,	Lucier,	Phillips,
Austin,	Davey,	Goldenberg,	Macdonald,	Riel,
Barrow,	Denis,	Graham,	Macnaughton,	Riley,
Basha,	Eudes,	Greene,	McDonald,	Robichaud,
Beaubien,	Everett,	Grosart,	McElman,	Smith
Bonnell,	Forsey,	Haig,	McGrand,	(Colchester),
Buckwold,	Fournier	Hayden,	McIlraith,	Smith
Burchill,	(de Lanaudière),	Hays,	McNamara,	(Queens-
Carter,	Fournier	Lafond,	Molgat,	Shelburne),
Choquette,	(Madawaska-	Laird,	Molson,	Sparrow,
Connolly	Restigouche),	Lang,	Neiman,	Stanbury,
(Ottawa West),	Fournier	Langlois,	Norrie,	Thompson,
Cook,	(Restigouche-	Lapointe,	Perrault,	Walker,
Cottreau,	Gloucester),	Lefrançois,	Petten,	Yuzyk.

PRAYERS.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 21st June, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Foreign Affairs have power to sit while the Senate is sitting on Tuesday next, 22nd June, 1976, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Legal and Constitutional Affairs have power to sit while the Senate is sitting on Tuesday next, 22nd June, 1976, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting on Monday and Tuesday next, 21st and 22nd June, 1976, and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation.

After debate,

The Honourable Senator Forsey moved, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry be referred to the Standing Senate Committee on Transport and Communications.

After debate,

The Honourable Senator McDonald moved, seconded by the Honourable Senator Petten, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Naturel Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll, calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First

Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Macnaughton, P.C., called the attention of the Senate to the Seventeenth Meeting of the Canada-United States Interparliamentary Group, held at Key Biscayne, Florida, U.S.A., from 29th January, to 2nd February, 1976.

Debated.

The Honourable Senator Macnaughton, P.C., tabled the Report of the Seventeenth Meeting of the Canada-United States Interparliamentary Group.

Ordered, That the Report of the Seventeenth Meeting of the Canada-United States Interparliamentary Group be printed as an Appendix to the Debates of the Senate of this day.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Everett from the Standing Senate Committee on National Finance which was authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1977, presented to the Senate the Report of the said Committee on the said Supplementary Estimates (A).

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 912-913).

The Honourable Senator Everett moved, seconded by the Honourable Senator Cook, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 911)

Thursday, June 17, 1976

The Standing Senate Committee on National Finance to which the Supplementary Estimates (A) laid before Parliament for the fiscal year ending 31st of March 1977 were referred; has in obedience to the order of reference of Tuesday, June 8, 1976 examined the said Estimates and reports as follows:

1. In obedience to the foregoing the Committee made an examination of the Supplementary Estimates (A) and heard evidence from the Honourable Jean Chrétien, President of the Treasury Board, Mr. L. Francis, Parliamentary Secretary to the President of the Treasury Board, Mr. M. J. A. Lafontaine, Deputy Secretary, Administrative Policy Branch of the Treasury Board, Mr. Guy Cousineau, Special Adviser for Loto Canada Inc. to the President of the Treasury Board and Mr. Bruce MacDonald, Deputy Secretary, Program Branch of the Treasury Board.

2. Supplementary Estimates (A) total \$5 million in respect of:

- (a) The purchase for \$1 of the shares of Loto Canada Inc.;
- (b) Working capital advance not exceeding \$5 million to the said Loto Canada Inc.

3. Loto Canada Inc. will be incorporated under the *Canada Corporations Act* and all the shares therein will be held by the Government of Canada.

4. Loto Canada Inc. will conduct a national lottery along the lines of the Olympic Lottery, with a first draw following the final draw in the Olympic Lottery which is to take place on August 29th, 1976.

5. Mr. G. Cousineau, formerly Chairman of the Unemployment Insurance Commission, will be Chairman of the Board of Directors of Loto Canada and he has indicated to the Committee that while the lottery will be operated on a similar basis to the Olympic Lottery, there will be a specific review of the distribution system and the amount of commission paid.

6. The net revenues of Loto Canada Inc. will be credited to the National Lottery Account in the accounts of Canada and the monies paid to the Receiver General of Canada. The Receiver General is authorized to divide the net revenues as follows:

- (a) in the current fiscal year up to 5% for Physical Fitness, Amateur Sports and Recreation programmes in accordance with regulations to be established;
- (b) until the 31st day of December, 1979, up to 12½% to the government of each province in the proportion to the number of tickets sold by Loto Canada Inc. in each province;
- (c) up to 82½% to Régie des installations olympiques to assist in the financing of the deficit of the 1976 Olympic Games and the XI Commonwealth Games Canada (1978) Foundation to assist in the financing of the 1978 Commonwealth Games.

7. The Committee noted that the payments of the 82½% and the 12½% are subject to the 5% to be directed to Physical Fitness, Amateur Sport and Recreation programmes. However, the 82½% and 12½% are set for three years while the 5% is set for the current fiscal year. Under the terms of the Supplementary Estimates, it would therefore be possible for the government to vary the 82½% and 12½% by varying the 5%. The witnesses assured the Committee that if this were done, it would require an item in the Estimates.

8. The Minister stated that it was his intention that the Annual Report of Loto Canada Inc. be tabled in the Senate, and that the 5% of the net revenues to be directed to physical Fitness, Amateur Sport and Recreation programmes will be shown each year in the estimates of the Department of Health and Welfare. The witnesses assured the Committee that the regulations to be established in respect of Loto Canada Inc. will restrict the number of draws to thirteen, being four draws per year and ending with the last draw prior to December 31st, 1979. Based on the experience of the Olympic Lottery, it is estimated that the gross ticket sales would be approximately \$700,000,000 and if this revenue is realized, the amount available for the deficit of the 1976 Olympic Games and the financing of the 1978 Commonwealth Games will be approximately \$300,000,000. The witnesses estimated that the present deficit of the Olympic Games is in the neighbourhood of \$900,000,000.

9. The witnesses assured the Committee that following the 13th draw, no further draws will take place unless the regulations are changed by the government. The Minister indicated to the Committee that it is his intention to bring the matter to Parliament prior to the change of those regulations.

10. The Committee expressed its concern to the Minister and his officials about proceeding to establish Loto Canada Inc. and a national Canadian lottery by way of a Supplementary Estimate. It has been the view of this Committee for some time that Supplementary Estimates should not be used for this purpose and therefore Loto Canada Inc. should have been established by the introduction of a Bill in Parliament. The Minister explained that the Olympic Lottery is to come to an end on August 29th, 1976. Officials of the Olympic Lottery and COJO were unable to obtain the co-operation of certain other provinces in Canada to continue the Olympic Lottery beyond August 1976 on its present basis, whereby the bulk of the net revenues goes to finance the Olympic Games. The Federal Government decided to continue the lottery for three years to assist in the financing of the deficit of the Games. So as not to lose momentum and facing the adjournment of Parliament, the Government sought to bring in legislation in the other place with agreement from the opposition parties that it would be dealt with in an expeditious manner. The Government was unable to achieve such an agreement and while it could have proceeded to incorporate and fund Loto Canada Inc., without reference to Parliament (as has been done in the case of other crown corporations, e.g. Atomic

Energy), the Government decided to proceed by way of Supplementary Estimates. This meant that the matter was referred to the Miscellaneous Estimates Committee in the other place and to the Standing Senate Committee on National Finance in the Senate, whose report is subject to debate in the Senate. While your Committee is concerned with this method of procedure, in these particular circumstances it feels there is justification although this should not be viewed as a precedent for proceeding in this way in the future.

11. Questions were asked about the consultations that have been undertaken by the Federal Government with the Provincial Governments in respect to the establishment of Loto Canada Inc. The witnesses indicated that a very limited consultation had taken place but that it is expected that detailed consultations on the continuation of Loto Canada Inc. after December 31st, 1979 will take place at a Federal—Provincial Meeting on the subject in September, 1976. Witnesses were not forthcoming about the conditions of agreements with the provinces that will be required to effectively continue a Canadian lottery with the co-operation of the provinces.

12. The witnesses assured the Committee that while some three years ago the Federal Government had amend-

ed the Criminal Code to permit provinces to conduct their own lotteries, this did not mean that the Federal Government had vacated the field. The witnesses were of the opinion that the Federal Government had the power to conduct a national lottery and to sell the tickets throughout Canada without the consent of the provinces.

13. While the amount to be paid from the net revenues of Loto Canada Inc. to assist in the financing of the deficit of the 1976 Olympic Games is to bear no relationship to the actual deficit suffered, nevertheless the contribution is to be made from revenues to be received by the Federal Government from the people of Canada without the Federal Government having had any control over the expenditures that resulted in the deficit. The Committee is in agreement that the Federal Government should give such assistance to the 1976 Olympic Games. However, the Committee cautions the Federal Government that it should not use revenues derived from the people of Canada to cover provincial or municipal expenditures without having had adequate controls imposed on them by the Federal Government.

Respectfully submitted,

D. D. EVERETT,
Chairman.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 203

Monday, 21st June, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Benidickson,	Cook,	Fournier	Lang,	McNamara,
Bonnell,	Côté,	(<i>de Lanaudière</i>),	Langlois,	Michaud,
Bourget,	Cottreau,	Fournier	Lapointe,	Neiman,
Cameron,	Croll,	(<i>Restigouche-</i>	Lefrançois,	Petten,
Carter,	Davey,	<i>Gloucester</i>),	Macnaughton,	Riel,
Choquette,	Denis,	Greene,	McDonald,	Riley,
Connolly	Desruisseaux,	Hayden,	McElman,	Walker,
(<i>Ottawa West</i>),	Eudes,	Lafond,	McGrand,	Yuzyk.
	Flynn,	Lamontagne,	McIlraith,	

PRAYERS.

A Message was brought from the House of Commons by their Clerk in the following words:—

WEDNESDAY, June 16, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. Smith (*Churchill*) has been substituted for that of Mr. La Salle on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk in the following words:—

THURSDAY, June 17, 1976.

Ordered,—That a Message be sent to the Senate to acquaint Their Honours that the name of Mr. La Salle has been substituted for that of Mr. Oberle on the list of Members appointed to serve on the Special Joint Committee on the National Capital Region.

ATTEST

ALISTAIR FRASER,
The Clerk of the House of Commons.

Ordered, That the Message do lie on the Table.

A Message was brought from the House of Commons by their Clerk to return the Bill S-32, intituled: "An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel",

And to acquaint the Senate that the Commons have passed this Bill with two amendments to which they desire the concurrence of the Senate.

The amendments were then read by the Clerk Assistant, as follows:—

1. *Page 3*: Strike out lines 41 and 42 and substitute therefor the following:

"of the Governor in Council published, with the text of such supplementary agreement, in the *Canada Gazette*."

2. *Page 4*: Strike out lines 4 to 16 and substitute therefor the following:

"(2) An order referred to in subsection (1) shall come into force on the 30th sitting day after it has been laid before Parliament pursuant to that subsec-

tion unless before the 20th sitting day after the order has been laid before Parliament a motion for the consideration of either House, to the effect that the order be revoked, signed by not less than fifty members of the House of Commons in the case of a motion for the consideration of that House and by not less than twenty members of the Senate in the case of a motion for the consideration of the Senate, is filed with the Speaker of the appropriate House.

(3) Where a motion for the consideration of the House of Commons or Senate is filed as provided in subsection (2) with respect to a particular order referred to in subsection (1), that House shall, not later than the sixth sitting day of that House following the filing of the motion, in accordance with the rules of that House, unless a motion to the like effect has earlier been taken up and considered in the other House, take up and consider the motion.

(4) A motion taken up and considered in accordance with subsection (3) shall be debated without interruption for not more than five hours and, on the conclusion of such debate or at the expiry of the fifth such hour, the Speaker of the House of Commons or the Senate, as the case may be, shall forthwith put, without further debate or amendment, every question necessary for the disposal of the motion.

(5) If a motion taken up and considered in accordance with subsection (3) is adopted, with or without amendments, a message shall be sent from the House adopting the motion informing the other House that the motion has been so adopted and requesting that the motion be concurred in by that other House.

(6) Within the first fifteen days next after receipt by it of a request pursuant to subsection (5) that the House receiving the request is sitting, that House shall, in accordance with the Rules thereof, take up and consider the motion that is the subject of the request and all questions in connection therewith shall be debated without interruption for not more than five hours and, on the conclusion of such debate or at the expiry of the fifth such hour, the Speaker of the House of Commons or the Senate, as the case may be, shall forthwith put, without further debate or amendment, every question necessary to determine whether or not the motion in question is concurred in.

(7) Where a motion taken up and considered in accordance with this section is adopted by the House in which it was introduced and is concurred in by the other House, the particular order to which the motion relates shall stand revoked but without prejudice to the making of a further order of a like nature to implement a subsequent supplementary agreement between the Government of Canada and the Government of the French Republic, Belgium or the State of Israel, as the case may be.

(8) Where a motion taken up and considered in accordance with this section is not adopted by the House in which it was introduced or is adopted, with

or without amendments, by that House but is not concurred in by the other House, the particular order to which the motion relates comes into force immediately upon the failure to adopt the motion or concur therein, as the case may be.

(9) For the purposes of subsection (2), a day on which either House of Parliament sits shall be deemed to be a sitting day."

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden, that the amendments be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois laid on the Table the following:—

Report of expenditures and administration in connection with the *Unemployment Assistance Act* for the fiscal year ended March 31, 1975, pursuant to section 8 of the said Act, Chapter U-1, R.S.C., 1970.

Report of the Unemployment Insurance Commission for the year ended December 31, 1975, pursuant to section 130(2) of the *Unemployment Insurance Act*, 1971, Chapter 48, Statutes of Canada, 1970-71-72.

Report of the Commission of Inquiry into the Marketing of Beef and Veal, dated April 13, 1976 (Mr. Maxwell W. Mackenzie, Chairman), established on the recommendation of the Prime Minister of Canada, pursuant to Order in Council P.C. 1975-1, dated January 6, 1975.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Petten:

That when the House adjourns today, it do stand adjourned until tomorrow, Tuesday, 22nd June, 1976, at eight o'clock in the evening.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on National Finance on the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1977.

The Honourable Senator Carter moved, seconded by the Honourable Senator Lang, that the Report be adopted now.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 204

Tuesday, 22nd June, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Asselin,	Cook,	Fournier	Langlois,	Neiman,
Austin,	Côté,	(<i>Restigouche-</i>	Lapointe,	Paterson,
Basha,	Cottreau,	<i>Gloucester</i>),	Lefrançois,	Perrault,
Beaubien,	Croll,	Godfrey,	Macnaughton,	Petten,
Bélisle,	Davey,	Goldenberg,	McDonald,	Phillips,
Benidickson,	Denis,	Graham,	McElman,	Riel,
Bonnell,	Desruisseaux,	Greene,	McGrand,	Riley,
Bourget,	Eudes,	Grosart,	McIlraith,	Stanbury,
Cameron,	Flynn,	Hayden,	McNamara,	van Roggen,
Carter,	Fournier	Lafond,	Michaud,	Walker.
Connolly	(<i>de Lanaudière</i>),	Lang,	Molson,	
(<i>Ottawa West</i>),				

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Communiqué issued following the Federal-Provincial Conference of Attorneys General held at Vancouver, June 17-18, 1976.

The Honourable Senator van Roggen from the Standing Senate Committee on Foreign Affairs to which was referred the Bill C-20, intituled: "An Act respecting citizenship", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

The Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill be placed on the Orders of the Day for a third reading on Monday next, 28th June, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Carter from the Standing Senate Committee on Health, Welfare and Science presented the following Report:—

TUESDAY, June 22, 1976.

The Standing Senate Committee on Health, Welfare and Science, in obedience to its Order of Reference of December 18, 1975, has the honour to present the following report:

On May 14, 1975, the Honourable Senator McGrand moved "that the Senate considers it advisable that a special committee of the Senate be established at an early date to inquire and report upon crime and violence in contemporary Canadian society."

On December 18, 1975, the Senate referred the subject matter of Senator McGrand's motion to the Standing Senate Committee on Health, Welfare and Science and instructed the Committee "to look into and report upon the feasibility of a Senate committee's inquiring into and reporting upon crime and violence in contemporary Canadian society and that, if the Committee decides that such a study is feasible and warranted, it be further instructed to set down clearly how, by whom and under what precise terms of reference such a study should be undertaken."

The Committee's task was threefold:

- (1) to determine the feasibility of the study contemplated;
- (2) if feasible, to determine whether such a study is warranted; and
- (3) if feasible and warranted, to outline how the study should be conducted.

It will be seen, therefore, that the key word is "feasibility". If the Committee decides the study is not feasible, then tasks (2) and (3) are eliminated.

The word "feasibility", however, embodies a number of variable factors. Thus a study that would not be feasible under one set of conditions and circumstances might prove feasible under a different set of conditions and circumstances.

In considering feasibility, your Committee took into consideration the nature of the subject to be considered as well as the time available, the facilities required (space accommodation, staff, etc.) and the present workload of Senate committees.

Your committee held six meetings and was fortunate to secure the services of Mr. Hugh Finsten and Mr. Gary Tait—two research officers on the staff of the Library of Parliament.

It soon became evident from the work of the research officers that the common factors influencing crime—poverty, broken homes, unemployment, drugs, the penal system, lack of education and vocational training, etc.—are already well known and well documented. Consequently, a wide open inquiry into the causes of crime in Canada is neither feasible nor warranted.

However, in the course of the inquiry the Committee became aware that there was one area related to the causes of crime about which very little is known and which is now engaging the attention of research specialists in several countries, including the United States and France, where extensive work has been going on for several years. This area includes influences experienced in early childhood which may lead to violent and criminal behaviour later on.

This involves a more detailed account of the mother's health and condition during pregnancy, including the blood supply to the brain of the fetus, together with a more detailed account of the birth itself, as well as physical or psychological injuries sustained after birth.

Your committee heard the following witnesses: Dr. Michael Langley and Professor Bryan MacKay from the Department of Criminology, University of Ottawa; Dr. P. G. Banister, Bureau of Surveillance Services, Department of National Health and Welfare; Mr. Lorne Rowbottom, Household and Institutional Statistics Field, Mr. Marcel Préfontaine, Justice Statistics Division and Mr. Paul Reed, Justice Statistics Division, Statistics Canada; and Dr. E. T. Barker, Consultant, Mental Health Center (Oak Ridge), Penetanguishene, Ontario.

For the most part, their evidence indicated strong support for a restricted inquiry as outlined above and their opinions were greatly reinforced by a number of letters and submissions addressed to Senator McGrand from Gordon E. Warme, M.D., F.R.C.P.(C); Granville A. daCosta, M.D., F.R.C.P.(C); J. D. Atcheson, M.D., F.R.C.P.(C); (three psychiatrists from the University of

Toronto); from Dr. B. A. Boyd, F.R.C.P.(C), Medical Director, Mental Health Center, Penetanguishene, Ontario; R. E. Stokes, M.D., D. Psych. F.R.C.P.(C), Director of Bracebridge Community Mental Health Service; C. K. McKnight, M.D., Chief of Service, Forensic, Clarke Institute of Psychiatry; Dr. John T. O'Manique, Professor of Philosophy at Carleton University and member of the Third Research Team for The Club of Rome; Dr. Eileen S. Whitlock, Executive Secretary, The National Association for the Advancement of Humane Education, University of Tulsa, Oklahoma, and Mr. Arthur Maloney, Q.C., Ombudsman for Ontario.

Your committee was convinced that such a restricted inquiry should not be undertaken by the Standing Senate Committee on Health, Welfare and Science, nor by any other Senate Standing Committee, but rather by a very small special committee composed of not less than 6 nor more than 10 members who have a special interest in this problem.

The Committee suggests the following terms of reference:

THAT a Special Committee of the Senate, consisting of 8 senators be appointed to inquire into and report upon what is being done and what further avenues of research are required to detect factors occurring before or during the first three years of life which may lead to personality difficulties or violent behaviour in later life;

THAT the Committee have power to send for persons, papers and records and to print such papers and evidence from day to day as may be ordered by the Committee; and

THAT the Committee have power to engage the services of such counsel, technical and clerical personnel as may be required for the purpose of the inquiry.

It is envisaged that the Committee would utilize the services of the research staff of the Library of Parliament to write to top specialists of world reputation in this field and related areas and to analyze their replies. From this analysis the committee would select 6 to 8 witnesses so that the expenses involved would be kept to a minimum.

Your committee feels that such a special committee is feasible and that it is warranted by the necessity to focus attention on this gap in our knowledge of the causes of crime and violence and by the interest and stimulation of research that would result.

Respectfully submitted.

CHESTER W. CARTER,
Chairman.

The Honourable Senator Carter moved, seconded by the Honourable Senator Petten, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until Tuesday next, 29th June, 1976.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the amendments made by the House of Commons to the Bill S-32, intituled: "An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel".

The Honourable Senator Lang moved, seconded by the Honourable Senator Paterson, that the amendments be concurred in.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have agreed to the amendments made by the Commons to this Bill, without amendment.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Asselin, P.C., resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Lang, for the adoption of the Report of the Standing Senate Committee on National Finance on the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1977.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Bélisle, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 205

Wednesday, 23rd June, 1976

2.00 o'clock p.m.

The Honourable MAURICE BOURGET, P.C., Speaker, *pro tem.*

The Members convened were:

The Honourable Senators

Asselin,	Cook,
Austin,	Côté,
Basha,	Cottreau,
Beaubien,	Croll,
Bélisle,	Davey,
Benidickson,	Denis,
Bonnell,	Deschatelets,
Bourget,	Desruisseaux,
Cameron,	Eudes,
Carter,	Flynn,
Connolly	Fournier
(Ottawa West),	(de Lanaudière),

Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Grosart,
Hayden,
Lafond,
Lamontagne,

Lang,
Langlois,
Lefrançois,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,

Molson,
Neiman,
Perrault,
Petten,
Phillips,
Quart,
Riley,
van Roggen,
Walker,
Yuzyk.

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Flynn, P.C.:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Bourget, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator Bourget, P.C., took the Chair.

PRAYERS.

Tribute was paid to the memory of the Honourable Senator Boucher whose death occurred today.

A Message was brought from the House of Commons by their Clerk with a Bill C-93, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read a second time later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

A Message was brought from the House of Commons by their Clerk with a Bill C-94, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read a second time later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on proceedings under the *Canada Labour Code*, Part III (Labour Standards), for the fiscal year ended March 31, 1976, pursuant to section 75 of the said Code, Chapter L-1, R.S.C., 1970.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce, to which was referred the Bill C-58, intituled: "An Act to amend the Income Tax Act", presented the following Report:—

TUESDAY, June 22, 1976.

The Standing Senate Committee on Banking, Trade and Commerce, to which was referred Bill C-58, intituled: "An Act to amend the Income Tax Act", has, in obedience to the order of reference of Tuesday, April 6, 1976, examined the said bill and, for the reasons hereinafter mentioned, now reports the same with amendments.

Bill C-58 is an example of use of the Income Tax Act to achieve purposes unrelated to fiscal policy.

In 1965, the act was amended¹ to exclude as deductible for tax purposes expenses of an advertiser for space in an issue of a non-Canadian newspaper or periodical as defined in the Act.² An important exception³ to this rule was made in the case of newspapers or periodicals edited in whole or in part in Canada and printed and published in Canada prior to April 26, 1965. The principal beneficiaries of this exemption were *Time Canada* and *Reader's Digest*.

Bill C-58 would remove this exemption so that in order for advertising expenses to qualify as deductions, a periodical must meet the criteria set forth in the Act requiring, amongst other things, that a newspaper or periodical be 75 per cent owned by Canadians and that it be edited, printed and published in Canada. The most important requirement, however, is that the newspaper or periodical cannot be "substantially the same" as a periodical that is printed, edited or published outside Canada.⁴

Bill C-58 would also remove the exemption in the Act in respect of advertisements in catalogues and publications the function of which is to promote the fine arts, letters, scholarship or religion⁵ under which publications such as *MD* magazine have heretofore qualified.

Finally, the bill would introduce non-deductibility for expenses for advertisements directed primarily to Canadians broadcast by a foreign broadcasting undertaking.

While your committee supports what has been stated to be the objective of the bill, namely, the promotion of stronger publishing and broadcasting industries in Canada, it has reservations both as to whether the *Income Tax Act* is the proper vehicle for accomplishing these objectives and as to whether the measures proposed are likely to achieve the degree of effectiveness contemplated by the government ministers supporting the bill who testified before your committee.

There are, however, several areas where your committee considers amendments to the bill are required.

¹ s. 19

² sub-s. 19(5)

³ sub-s. 19(2)

⁴ clause 19(5)(a)(ii)(F)

⁵ sub-s. 19(4)

One concerns the interpretation of the words "substantially the same" referred to above and results in part from the actions and statements of the Minister of National Revenue arising out of *Time Canada's* attempt to clarify its status under the Act following introduction of the Bill. Another concerns the manner in which the decision to bring into force the provisions relating to the broadcasting industry is to be made.

In the last analysis, the meaning of the words in statutes is something to be decided by the courts. Ordinarily, however, judicial interpretations of provisions of the *Income Tax Act* only result from the taxpayer having done something which is disputed by the Minister of National Revenue. However, the department has adopted a policy which has been in effect for some years whereby a taxpayer may obtain an advance ruling on a question of interpretation.⁶ These rulings, which are stated to be binding on the minister, are obviously of great assistance to a taxpayer in that he is able to ascertain in advance how a proposed course of action may be dealt with under the Act. The alternative is to proceed without a ruling and risk an adverse determination by the courts after the fact.

It must be assumed that, in giving rulings of this nature, departmental officials should attempt to place themselves in the position of a court faced with the same question. In other words, the arguments on both sides should be weighed and an objective decision reached in the light of reason and existing jurisprudence. The purpose is not, on an application for a ruling, to give a decision which is in effect an assertion of the position which would be most favourable to the minister.

In the case of the desire of the affected periodicals to obtain an interpretation of the words "substantially the same" it could be argued that, although the periodicals were themselves Canadian taxpayers, an application for a ruling could only be made by a taxpayer in whose direct interest it was to have a decision, i.e., a taxpayer who was an advertiser in that periodical. Discussions between the periodicals and the department as to the interpretation of the words may, therefore, have proceeded on a basis outside the normal ruling application procedure. However, in your committee's opinion, the approach of the minister and his officials in that case should have been no different from their approach in dealing with a formal ruling application by a taxpayer directly affected.

On October 23, 1975, after several meetings with *Time Canada*, the Minister of National Revenue announced in a press release that at least 80 per cent of an issue of a periodical published in Canada, excluding advertising, had to be different from the contents of an issue published outside Canada. He also announced that, should this interpretation be successfully challenged in the courts, he would introduce legislation to re-instate his interpretation.

From the evidence before it, and in the light of existing jurisprudence, your committee has regretfully concluded that in developing the "at least 80 per cent rule" it seems apparent that, far from attempting to give an impartial interpretation, the minister was attempting to amend clause 19(5)(a)(ii)(F) of the Act to conform with the views of the government. Amendments, in your committee's opinion, are a matter for Parliament, not the executive branch of government.

The rule of law and the supremacy of Parliament are surely two of our most cherished institutions. They should not be allowed to give way to ministerial zeal.

Your committee is of the view that, should any periodical at any future time wish to attempt to qualify as a Canadian periodical, it should have the benefit of a fair and impartial means of obtaining a decision in keeping with judicial traditions in this country. Your committee therefore recommends that the bill be amended so as to oblige the Minister of National Revenue to submit the issue to the courts for determination.

A side issue which has developed as a result of delays in passage of the Bill is that the proposed effective date of the provisions affecting periodicals (January 1, 1976) has now passed. In order to remove any suggestion of retroactivity, a fundamentally repugnant notion which should be resorted to only in cases of extreme need, your committee recommends that the effective date be changed to January 1, 1977.

Dealing with your committee's second principal objection, in connection with the bringing into force of the broadcasting provisions, your committee notes that the Secretary of State in an announcement in the House of Commons on January 23, 1975⁷ stated that, before bringing in provisions to discourage Canadian advertisers from advertising in U.S. border stations, it would be necessary to make sure that sufficient advertising time was available on Canadian stations. Bill C-58 provides that these provisions shall be brought into force on proclamation, thus leaving the timing to the executive branch of the government. Another method of proceeding might have been to defer introduction of the legislation until it was clear that all the factors, including availability of time on Canadian stations, indicated that the provisions were warranted. The government has chosen a course whereby the provisions should be enacted now but brought into effect at a later date. Your committee has no objection to this procedure provided that the timing of the provisions is decided by Parliament. It accordingly recommends that the Bill be amended so that the broadcasting provisions shall be brought into effect by a resolution of the House of Commons concurred in by the Senate.

Your committee is not convinced that removal of the exemption in respect of publications such as *MD* magazine will assist the objectives of the Bill and it therefore recommends partial restoration of the provisions of the Act in that regard which the bill would have removed.

⁶ See Information Circular, Department of Revenue, Taxation, No. 70/6, September 14, 1970.

⁷ Commons Debates, January 23, 1975, page 2527

For the foregoing reasons, your committee recommends the following amendments to Bill C-58:

1. *Page 1*: Strike out line 12 and substitute therefor the following:

"after December 31, 1976 for an advertise—".

2. *Page 1*: Strike out line 16 and substitute therefor the following:

"repealed and the following substituted therefor:

"(4) Subsection (1) does not apply with respect to an advertisement in any publication the principal function of which is the encouragement, promotion or development of the fine arts, letters, scholarship or religion."

3. *Page 1*: Strike out line 17 and substitute therefor the following:

"3. (1) The said Act is further amended by".

4. *Page 1*: Strike out line 20 and substitute therefor the following:

"19.1 (1) In this section, "publisher" means a person who has or proposes to have the exclusive right to produce and publish issues of a newspaper or periodical.

(2) For the purposes of this section, the word "taxpayer" in section 173 shall be deemed to include a publisher.

(3) The Minister, at the request of a publisher, shall enter into an agreement with that publisher pursuant to section 173 for the purpose of having determined by the Court the interpretation of clause 19(5)(a)(ii)(F) in relation to one or more issues of proposed issues of a newspaper or periodical that that publisher has or proposes to have the exclusive right to produce and publish in Canada."

(2) The said Act is further amended by adding thereto immediately after section 19.1, added by subsection (1), the following:

"19.2 (1) Subject to subsection (2), in " "

5. *Page 2*: Strike out lines 32 to 34 inclusive and substitute therefor the following:

"on the first day of January, 1977.

(2) Subsection 3(2) shall come into force on such day as may be fixed by a motion taken up and considered by the House of Commons that is adopted by the House and concurred in by the Senate pursuant to subsections (3) and (4).

(3) If a motion taken up and considered by the House of Commons pursuant to subsection (2) is adopted by the House, with or without amendments, a message shall be sent to the Senate informing the Senate that the motion has been so adopted and requesting that the motion be concurred in by the Senate.

(4) The Senate shall, within the first fifteen days next after receipt by it of a request from the House of Commons pursuant to subsection (3) that the Senate is sitting, in accordance with the Rules of the Senate, take up and consider the motion adopted by the House of Commons that is the subject of the request.

(5) If the Senate, pursuant to a request from the House of Commons, concurs in a motion adopted by the House as provided in this section, subsection 3(2) shall come into force on the day that is specified in the motion or on the day on which the Senate concurs in the motion, whichever is the later."

During the course of your Committee's hearings a question arose as to the effect of Bill C-58 and the "commercial deletion" policy of the CRTC on relations with the United States. While your Committee considers that the strain on Canada-U.S. relations which has arisen is not an area which is within its terms of reference on this Bill, it believes that it cannot let the matter pass without directing the attention of the Government to the evidence before the Committee on these points.

Attached as an appendix to this report is a list of parties who submitted briefs, including those who also appeared before your committee in the course of its examination of Bill C-58.

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.

(Appendix)

List of submissions received with regard to Bill C-58, "An Act to amend the Income Tax Act".

SUBMITTED BRIEFS AND APPEARED	Date of Appearance
1. MD Publications (Canada) Limited	May 6, 1976
2. Maclean-Hunter Limited	May 12, 1976
3. Graphic Arts Industries Association	May 12, 1976
4. Canadian Periodical Publishers' Association	May 12, 1976
5. Time Canada	May 13, 1976
6. Saturday Night	May 19, 1976
7. Canadian Association of Broadcasters	May 19, 1976
8. Institute of Canadian Advertising	May 20, 1976
9. WBEN, Inc.; Capital Cities Communications Inc.; and Taft Broadcasting Company	June 9, 1976
10. Channel Seventy Nine Limited, (CITY-TV)	June 9, 1976
11. KVOS-TV (B.C.) Limited, Vancouver	June 9, 1976
12. Advertising Agency Association of British Columbia	June 9, 1976
13. Association of Canadian Advertisers	June 10, 1976
14. Canadian Radio-Television Commission	June 16, 1976

Number of witnesses in support of the above: 47

SUBMITTED BRIEFS BUT DID NOT APPEAR

Andy McDermott Sales Ltd.
Catton Buckham Advertising Agency Ltd.
CKCO-TV Kitchener
Hyland Radio-TV Limited
Stovin-Byles Television Limited
Okanagan Valley Television Company Limited
Monarch Broadcasting Co. Ltd. (CHAT Radio-TV, Alberta)

Tele-Capital Ltd. of Quebec City
CKSO-TV and Radio of Sudbury
Council of Forest Industries of B.C.
British Columbia Television Broadcasting System Ltd.

The Honourable Senator Hayden moved, seconded by the Honourable Senator Denis, P.C., that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Monday next, 28th June, 1976, at eight o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Carter, seconded by the Honourable Senator Lang, for the adoption of the Report of the Standing Senate Committee on National Finance on the Supplementary Estimates (A) laid before Parliament for the fiscal year ending the 31st March, 1977.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society.

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to Order, the Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden, that the Bill C-94, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", be read the second time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Hayden, that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to Order, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault,

P.C., that the Bill C-93, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", be read the second time.

After debate,

The Honourable Senator Grosart moved, seconded by the Honourable Senator Walker, P.C., that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 206

Monday, 28th June, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Laird,	Norrie,
Asselin,	Côté,	(Madawaska-	Lamontagne,	Paterson,
Austin,	Cottreau,	Restigouche),	Lang,	Perrault,
Barrow,	Croll,	Fournier	Langlois,	Petten,
Basha,	Davey,	(Restigouche-	Lapointe,	Phillips,
Beaubien,	Denis,	Gloucester),	Lefrançois,	Riley,
Bélisle,	Deschatelets,	Godfrey,	Macdonald,	Smith
Benidickson,	Desruisseaux,	Goldenberg,	Macnaughton,	(Colchester),
Bourget,	Eudes,	Grosart,	McDonald,	Smith
Buckwold,	Flynn,	Haig,	McGrand,	(Queens-
Cameron,	Forsey,	Hayden,	McIlraith,	Shelburne),
Carter,	Fournier	Hicks,	McNamara,	Stanbury,
Connolly	(de Lanaudière),	Lafond,	Michaud,	Walker,
(Ottawa West),			Neiman,	Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-88, intituled: "An Act to amend the Canadian Wheat Board Act (No. 2)", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Order of the Administrator under the *Anti-Inflation Act*, pursuant to section 17(3) of the said Act, Chapter 75, Statutes of Canada 1974-75-76, dated June 22, 1976, regarding the reference of the collective agreement between the International Nickel Company of Canada, Manitoba Division and the employees represented by the United Steelworkers of America, Local 6166, and letter thereon from the Administrator to the Minister of National Revenue.

Copies of Reports of the Anti-Inflation Board to His Excellency the Governor General in Council reporting its reference to the Administrator of the *Anti-Inflation Act* of—

(1) Collective agreement between the Sudbury District Roman Catholic Separate School Board and the employees represented by the Canadian Union of Public Employees, Local 1369;

(2) Collective agreement between the Wentworth County Board of Education, Hamilton, Ontario and the employees in the secretarial, clerical group;

(3) Certain proposed increases in compensation between the Prescott and Russell County Roman Catholic Separate School Board and its executive employees.

Copies of Order in Council P.C. 1976-1576, dated June 23, 1976, appointing the Honourable W. R. Sinclair and the Honourable Julien Chouinard, Co-Commissioners, under Part I of the *Inquiries Act*, for the purpose of inquiring into the safety of the introduction of bilingual IFR Air Traffic Services in the Province of Quebec.

Report of the Auditor General on the examination of the accounts and financial statements of the National Battlefields Commission for the fiscal year ended March 31, 1975, pursuant to section 12 of *An Act respecting the National Battlefields at Quebec*, Chapter 57, Statutes of Canada, 1907-08, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Capital Budget of the National Battlefields Commission for the fiscal year ending March 31, 1977, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-1089, dated May 11, 1976, approving same.

Report of Uranium Canada, Limited, including its accounts and financial statements certified by the Auditor General, for the year ended December 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the President of the National Research Council of Canada for the fiscal year ended March 31, 1976, pursuant to section 16 of the *National Research Council Act*, Chapter N-14, R.S.C., 1970.

Report of the Science Council of Canada for the fiscal year ended March 31, 1976, pursuant to section 19 of the *Science Council of Canada Act*, Chapter S-5, R.S.C., 1970.

Report of the Unemployment Insurance Advisory Committee for the year ended December 31, 1975, pursuant to section 109(3) of the *Unemployment Insurance Act*, 1971, Chapter 48, Statutes of Canada, 1970-71-72.

Capital Budget of the National Harbours Board for the year ended December 31, 1975, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-988, dated April 27, 1976, approving same.

Copies of Order in Council P.C. 1976-1588, dated June 28, 1976, appointing the Honourable W. R. Sinclair of Edmonton, the Honourable Julien Chouinard of Quebec City, and the Honourable D. V. Heald of Ottawa, Co-Commissioners, under Part I of the *Inquiries Act*, for the purpose of inquiring into the safety of the introduction of bilingual IFR Air Traffic Services in the Province of Quebec, together with Memorandum of Understanding between The Minister of Transport and The Canadian Air Traffic Control Association (CATCA) and The Canadian Air Line Pilots' Association (CALPA), signed at Ottawa, on the 28th day of June, 1976.

The Honourable Senator Laird from the Standing Committee on Internal Economy, Budgets and Administration tabled a schedule of authorized salary revisions for certain Senate positions, effective April 1, 1976, approved by the Committee on June 17, 1976.

Ordered, That Order in Council P.C. 1976-1588, dated June 28, 1976, appointing the Honourable W. R. Sinclair of Edmonton, the Honourable Julien Chouinard of Quebec City, and the Honourable D. V. Heald of Ottawa, Co-Commissioners, under Part I of the *Inquiries Act*, for the purpose of inquiring into the safety of the introduction of bilingual IFR Air Traffic Services in the Province

of Quebec, together with Memorandum of Understanding between The Minister of Transport and The Canadian Air Traffic Control Association (CATCA) and the Canadian Air Line Pilots' Association (CALPA), signed at Ottawa, on the 28th day of June, 1976, tabled this day, be printed as an Appendix to the Debates of the Senate of this day.

Pursuant to the Order of the Day, the Honourable Senator Connolly, P.C., moved, seconded by the Honourable Senator Macnaughton, P.C., that the Bill C-20, intituled: "An Act respecting citizenship", be read the third time.

After debate,

In amendment, the Honourable Senator Laird moved, seconded by the Honourable Senator McNamara, that the Bill be not now read the third time but that it be amended as follows:

Page 17: Strike out clause 33 and substitute therefor the following:

"33. (1) Subject to subsection (2),

(a) real and personal property of every description may be taken, acquired, held and disposed of by a person who is not a Canadian citizen in the same manner in all respects as by a Canadian citizen; and

(b) a title to real and personal property of every description may be derived through, from or in succession to a person who is not a Canadian citizen in the same manner in all respects as though through, from or in succession to a Canadian citizen.

(2) Subsection (1) does not operate so as to

(a) qualify any person for any office or for any municipal, parliamentary or other franchise;

(b) qualify any person to be the owner of a Canadian ship;

(c) qualify any person to take, acquire, hold or dispose of any property that under or pursuant to any Act of the Parliament of Canada may be taken, acquired, held or disposed of only by Canadian citizens;

(d) entitle any person to any right or privilege as a Canadian citizen except such rights and privileges in respect of property as are hereby expressly given to him; or

(e) affect any estate or interest in real or personal property to which a person has or may become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the 4th day of July, 1883, or in pursuance of any devolution by law on the death of any person dying on that day."

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate

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on the motion in amendment be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill C-94, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-93, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill C-58, intituled: "An Act to amend the Income Tax Act".

The Honourable Senator Hayden moved, seconded by the Honourable Senator Bourget, P.C., that the Report be now adopted.

After debate,

The Honourable Senator Cook moved, seconded by the Honourable Senator Lang, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Tuesday, 29th June, 1976, at eleven o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 207

Tuesday, 29th June, 1976

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Benidickson,
Bourget,
Buckwold,
Carter,
Choquette,
Connolly
(Ottawa West),

Cook,
Côté,
Cottreau,
Croll,
Davey,
Denis,
Deschatelets,
Desruisseaux,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Madawaska-
Restigouche),
Fournier
(Restigouche-
Gloucester),
Godfrey,
Goldenberg,
Graham,
Grosart,
Haig,
Hayden,
Hicks,
Lafond,
Laird,

Lamontagne,
Lang,
Langlois,
Lapointe,
Lefrançois,
Macdonald,
Macnaughton,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Neiman,
Norrie,

Paterson,
Perrault,
Petten,
Phillips,
Quart,
Riley,
Smith
(Colchester),
Smith (Queens-
Shelburne),
Stanbury,
Thompson,
Walker,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Master of the Royal Canadian Mint, including accounts and financial statements certified by the Auditor General, for the year ended December 31, 1975, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

The Honourable Senator Goldenberg from the Standing Senate Committee on Legal and Constitutional Affairs to which was referred the Green Paper entitled: "Members of Parliament and Conflict of Interest", presented the Report of the said Committee thereon.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 939-942).

The Honourable Senator Goldenberg moved, seconded by the Honourable Senator McElman, that the Report be taken into consideration on Thursday, 8th July, 1976.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the third reading of the Bill C-20, intituled: "An Act respecting citizenship", and

On the motion in amendment thereto of the Honourable Senator Laird, seconded by the Honourable Senator McNamara, that the Bill be not now read the third time but that it be amended as follows:

Page 17: Strike out clause 33 and substitute therefor the following:

"33. (1) Subject to subsection (2),

(a) real and personal property of every description may be taken, acquired, held and disposed of by a person who is not a Canadian citizen in the same manner in all respects as by a Canadian citizen; and

(b) a title to real and personal property of every description may be derived through, from or in succession to a person who is not a Canadian citizen in the same manner in all respects as though through, from or in succession to a Canadian citizen.

(2) Subsection (1) does not operate so as to

(a) qualify any person for any office or for any municipal, parliamentary or other franchise;

(b) qualify any person to be the owner of a Canadian ship;

(c) qualify any person to take, acquire, hold or dispose of any property that under or pursuant to any Act of the Parliament of Canada may be taken, acquired, held or disposed of only by Canadian citizens;

(d) entitle any person to any right or privilege as a Canadian citizen except such rights and privileges in respect of property as are hereby expressly given to him; or

(e) affect any estate or interest in real or personal property to which a person has or may become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the 4th day of July, 1883, or in pursuance of any devolution by law on the death of any person dying on that day."

After debate,

With leave of the Senate,

The Honourable Senator Laird moved, seconded by the Honourable Senator McDonald, that further debate on the motion in amendment be adjourned until later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That the Order of the Day to resume the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-93, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", be brought forward.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Langlois, seconded by the Honourable Senator Perrault, P.C., for the second reading of the Bill C-93, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C., that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately two thirty o'clock p.m., it was—

Resolved in the affirmative. 1.00 p.m.

The sitting of the Senate was resumed. 2.50 p.m.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE
OTTAWA

JUNE 29, 1976

Madam,

I have the honour to inform you that the Honourable Wishart F. Spence, O.B.E., Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 29th day of June, at 5.45 p.m., for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,

Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE,
Administrative Secretary to the Governor General.

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the third reading of the Bill C-20, intituled: "An Act respecting citizenship", and

On the motion in amendment thereto of the Honourable Senator Laird, seconded by the Honourable Senator McNamara, that the Bill be not now read the third time but that it be amended as follows:

Page 17: Strike out clause 33 and substitute therefor the following:

"33. (1) Subject to subsection (2),

(a) real and personal property of every description may be taken, acquired, held and disposed of by a person who is not a Canadian citizen in the same manner in all respects as by a Canadian citizen; and

(b) a title to real and personal property of every description may be derived through, from or in succession to a person who is not a Canadian citizen in the same manner in all respects as though through, from or in succession to a Canadian citizen.

(2) Subsection (1) does not operate so as to

(a) qualify any person for any office or for any municipal, parliamentary or other franchise;

(b) qualify any person to be the owner of a Canadian ship;

(c) qualify any person to take, acquire, hold or dispose of any property that under or pursuant to any Act of the Parliament of Canada may be taken, acquired, held or disposed of only by Canadian citizens;

(d) entitle any person to any right or privilege as a Canadian citizen except such rights and privileges in respect of property as are hereby expressly given to him; or

(e) affect any estate or interest in real or personal property to which a person has or may become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the 4th day of July, 1883, or in pursuance of any devolution by law on the death of any person dying on that day."

After debate, and—

The question being put on the motion in amendment—

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Asselin	Hicks
Beaubien	Laird
Bélisle	Lang
Benidickson	Macdonald
Choquette	McNamara
Flynn	Neiman
Forsey	Phillips
Fournier	Quart
(Madawaska- Restigouche)	Riley
Grosart	Smith (Colchester)
Haig	Walker
Hayden	Yuzyk—23.

NAYS

The Honourable Senators

Barrow	Godfrey
Basha	Graham
Bourget	Lafond
Buckwold	Lamontagne
Carter	Langlois
Connolly	Lefrançois
(Ottawa West)	McElman
Cook	McGrand
Cottreau	McIlraith
Croll	Michaud
Davey	Norrie
Denis	Paterson
Deschatelets	Perrault
Eudes	Petten
Fournier	Smith (Queens- Shelburne)—30.
(de Lanaudière)	
Fournier	
(Restigouche- Gloucester)	

So it was resolved in the negative.

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the third reading of the Bill C-20, intituled: "An Act respecting citizenship", be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator

Hayden, seconded by the Honourable Senator Bourget, P.C., for the adoption of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Lang moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the second reading of the Bill C-88, intituled: "An Act to amend the Canadian Wheat Board Act (No. 2)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately five forty o'clock p.m., it was—

Resolved in the affirmative. 4.50 p.m.

The sitting of the Senate was resumed. 5.45 p.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile the Honourable Wishart F. Spence, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Honourable the Deputy of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant read the title of the Bill to be assented to as follows:—

An Act to implement conventions for the avoidance of double taxation with respect to income tax between Canada and France, Canada and Belgium and Canada and Israel.

To this Bill the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General doth assent to this Bill."

The Honourable the Speaker of the Commons addressed the Honourable the Deputy of His Excellency the Governor General, as follows:

"May it Please Your Honour:

The Commons of Canada have voted supplies to enable the Government to defray certain expenses of the public service:

In the name of the Commons, I present to Your Honour the following bills:—

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977.

To which Bills I humbly request Your Honour's Assent."

After the Clerk Assistant read the titles of the Bills,—

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, the Honourable the Deputy of His Excellency the Governor General thanks her loyal subjects, accepts their benevolence, and assents to these Bills."

The Commons withdrew.

After which the Honourable the Deputy of His Excellency the Governor General was pleased to retire.

The sitting of the Senate resumed.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Lamontagne, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 934)

Tuesday, June 29, 1976.

The Standing Senate Committee on Legal and Constitutional Affairs, to which was referred the Green Paper entitled "Members of Parliament and Conflict of Interest," tabled in the Senate on April 9, 1975, has, in obedience to the order of reference of April 10, 1975, examined the same and now reports as follows:

Your committee endorses the principles and objectives set forth in the Green Paper.

With respect to some of the specific proposals and related clauses of the "Discussion Draft of Independence of Parliament Act," your committee finds that they require amendment for purposes of clarification and effective application and, therefore, recommends as follows:

PROHIBITED FEES

(Green Paper, Proposal 3)

Your committee considers that the provision relating to prohibited fees set out in Proposal 3 and recommended for incorporation in the Rules of the Senate should more properly be part of a code of conduct for Senators, discussed later in this report, rather than a rule of the Senate since it specifies a practice that Senators should observe in their conduct inside and outside the Senate rather than a rule of procedure in the Senate.

In addition, your committee considers that this provision, as set out in the Green Paper, should be more specific in its wording if it is to serve as a precise and effective rule of conduct designed to eliminate conflict of interest situations. Accordingly, your committee recommends that this provision, as a rule for Senators, be amended to read as follows:

"(1) A Senator shall not

(a) advocate, support or promote any matter, thing, cause or course of action in the Senate or among Senators or Members of the House of Commons, or

(b) intercede with public servants or government bodies in respect of any matter, thing, cause or course of action,

if,

(c) in return for so advocating, supporting, promoting or interceding, the Senator is paid or accepts a sum of money, fee or other reward, or

(d) the Senator acts as an adviser or consultant to, or is employed in any other capacity by, any individual, firm or corporation that has a direct pecuniary interest in such matter, thing, cause or course of action or is a director, officer or manager of the corporation.

(2) A Senator shall not represent any individual, firm or corporation before a federal board, commission or other tribunal in a matter in which a right or interest of that individual, firm or corporation is subject to a decision or order of an administrative nature if,

(a) in return for so representing that individual or corporation, the Senator is paid or accepts a sum of money, fee or other reward, or

(b) the Senator acts as an adviser or consultant to, or is employed in any other capacity by, that individual,

firm or corporation or is a director, officer or manager of the corporation."

INCOMPATIBLE OFFICES

(Green Paper, Proposal 5)

1. Prohibited Federal Offices

(Draft Act, subclause 10(d))

Your committee is of the opinion that the prohibition against Members or Senators holding federal offices should be a prohibition relating to the remuneration for such offices. The *Senate and House of Commons Act*, paragraph 10(a), prohibits a Member of the House of Commons from holding any office, commission or employment with the federal government to which remuneration of any kind is attached. No such prohibition is now applicable to Senators.

Your committee, therefore, recommends that subclause 10(d) of the discussion draft, which is part of a list of prohibited offices, be reworded as follows to include the underlined words:

"(d) any office, commission or employment whereby the occupant or holder thereof is appointed by or under the authority of the Governor in Council, the Treasury Board, any Minister or other officer of the Crown or any department, agency or corporation set out in any of the schedules to the *Financial Administration Act*, under any enactment or otherwise to which any salary, fee, wage, allowance, emolument, or profit of any kind is attached;"

Your committee further recommends that, if this recommendation to include the underlined words is adopted, a provision be added to clause 10 to ensure that where a Member or Senator occupies a federal office, commission or employment to which no remuneration is attached, the Member or Senator is not precluded from receiving an allowance for expenses reasonably incurred in the discharge of the duties of that office, commission or employment.

2. Prohibited Provincial Offices

(Draft Act, subclause 10(f))

Your committee is of the opinion that not every office, commission or employment under the authority of a provincial government, if occupied by a Member or Senator, would violate the concept of the division of powers between the federal and provincial jurisdictions. Your committee, therefore, considers that a Member or Senator should be permitted to accept a provincial office, commission or employment if it is of a temporary nature or is an office, commission or employment to which no remuneration is attached and if it does not in any way involve the federal government.

Your committee also suggests that the word "commission" be added to the first line of subclause 10(f) of the discussion draft so that this clause will be consistent with subclause 10(d).

Your committee, therefore, recommends that clause 10 be redrafted in part as follows:

"10. (1) No Member or Senator shall hold any of the following offices, commissions or employments:

(f) any office, commission or employment under the authority or control of a province of Canada or under the jurisdiction or control of any foreign government.

(2) Subsection (1) does not prohibit a Member or Senator from holding an office, commission or employment referred to in paragraph (f) if

(a) it is of a temporary nature or it is an office, commission or employment to which no remuneration is attached, and

(b) the duties or functions of the office, commission or employment do not in any way relate to matters that involve the federal government."

3. Elected Public Office

Your committee concurs with the recommendation of the House of Commons Standing Committee on Privileges and Elections that there be a specific prohibition against Senators and Members of the House of Commons holding elected public office under the authority or control of a provincial or municipal government.

Your committee also agrees with that committee's further recommendation that a Senator or Member of the House of Commons be required to resign all other elected public offices within a period of six months from the date of his appointment or election, as the case may be, in order to continue to be eligible to retain his or her seat in Parliament.

GOVERNMENT CONTRACTS

(Green Paper, Proposal 9)

1. Prohibited Contracts

(Draft Act, clauses 2 and 3)

Clause 3 of the discussion draft provides that "no Member or Senator shall participate, directly or indirectly, in any government contract". Clause 2 defines the word "participate" as meaning, among other things, "having a beneficial interest in the contract... being a shareholder, an officer, a director... of a corporation that is a party to the contract or... being the spouse of a person who is a party... to the contract".

Your committee considers that, since each meaning of the word "participate" in clause 2 is modified in clause 3 by the word "indirectly", the use of that word in clause 3 gives the clause a meaning that, when applied to certain situations, is too wide and imprecise. Your committee believes, for example, that there is no reason to distinguish between a direct and an indirect beneficial interest in a government contract. The use of the word "indirectly" in clause 3 also produces an absurdity when read with other meanings of the verb "participate". For example, how could a person be "indirectly" an officer or a director of a corporation that is a party to a government contract or how could a person be "indirectly" the spouse of a party to the contract?

Your committee is also of the opinion that a Senator is not in a conflict of interest situation merely because he is a shareholder or a director of a corporation that is a party to a government contract or whose wholly-owned subsidiary is a party to the contract.

Your committee, on the other hand, considers that it should be provided in the proposed legislation that there is a conflict of interest situation if a Senator owns 5 per cent or more of the shares of a corporation that has a govern-

ment contract or whose subsidiary, whether wholly-owned or not, is a party to the contract, if the Senator's spouse or dependent child is a party to or owns 5 per cent or more of such shares, or if the Senator and the Senator's spouse and dependent child have a combined holding of 5 per cent or more of such shares.

Your committee also considers that it should be provided that there is a conflict of interest situation if a Senator is an officer or manager of a corporation that is a party to the contract or whose subsidiary, whether wholly-owned or not, is a party to the contract.

Your committee also considers that there is a conflict of interest when a Senator who is a director of a company intercedes with public servants or government bodies on behalf of that company in any matter in which that corporation has a direct pecuniary interest, and it is for this reason that your committee has recommended, in respect of proposal 3, that Senators be specifically prohibited from so interceding.

Your committee, therefore, recommends that the words "directly or indirectly" be deleted from any general prohibition, such as the one set out in clause 3 of the discussion draft, that the substantive provisions set out in the definition "participate" be incorporated in clause 3 and that it be provided in clause 3, at least in so far as that clause applies to Senators, that a Senator contravenes the Act if, in relation to a government contract,

(a) the Senator is party to or has a beneficial interest in the contract,

(b) the Senator is an officer or manager of a corporation that is a party to the contract or whose subsidiary is a party to the contract,

(c) the Senator owns 5 per cent or more of the shares of a corporation that is a party to the contract or whose subsidiary is a party to the contract,

(d) the Senator's spouse or dependent child is a party to or owns 5 per cent or more of the shares referred to in paragraph (c), or

(e) the Senator and the Senator's spouse and dependent child have a combined holding of 5 per cent or more of such shares.

2. Permitted Participation

(Draft Act, subclause 4(2))

Subclause 4(2) of the draft Act permits a Member or Senator to participate in government contracts if the amounts paid or to be paid pursuant to the contracts do not exceed in the aggregate the sum of \$1,000 in any fiscal year. Your committee agrees with the recommendation of the House of Commons Standing Committee on Privileges and Elections that this exemption of \$1,000 be increased to \$5,000.

Your committee, however, draws attention to the fact that, even with such an exemption, the prohibition in clause 3 of the draft Act could create problems in outlying areas where the only available supplier of essential goods or materials is a business in which a Member or Senator has a substantial interest.

3. Knowledge of Participation in Government Contracts

Your committee is aware that, because of the large number of contracts entered into annually by various government departments, corporations and agencies, it can sometimes be difficult for a Member or Senator to know whether or not a company in which he owns 5 per cent or more of the shares has entered into a government contract.

Your committee believes that this problem can best be met by the diligence of Members or Senators in keeping themselves informed of the activities of those companies in which they, their spouses or dependent children have combined or separate holdings of 5 per cent or more of the shares.

4. Broadcasting Licences

Your committee notes that the Green Paper does not deal with the question of whether or not a Member or Senator should participate in or derive any benefit from licences for television, radio and cable television issued by the Canadian Radio-Television Commission.

There would appear to be some inconsistency in prohibiting a Member or Senator from participating in government contracts and yet permitting such a Member or Senator to own or have a substantial interest in a broadcasting undertaking or to participate in an application for a licence issued by the CRTC which, in many cases, has an intrinsic value many times more than the suggested \$5,000 exemption mentioned above with respect to government contracts.

Your committee notes that there is a provision in the *Broadcasting Act* for the Governor in Council to issue directions to the CRTC respecting the classes of applicants to whom broadcasting licences may not be issued. Your committee believes that consideration should be given to the question of whether or not Members or Senators should be included in such a class. Your committee further suggests that a review of the other legislation involving the granting of licences be considered for the purpose of determining whether a similar question arises.

FINANCIAL INTERESTS

(Green Paper, Proposal 15)

Your committee concurs with the recommendation of the House of Commons Committee that an office of Registrar be established. The Registrar for the Senate would receive the disclosures that Senators would be required to file under the Rules of the Senate and the proposed Act. He would also on request give advice, either verbally or in writing, provide Senators with information on matters of conflict of interest and issue a set of forms for the use of Senators. The committee further recommends that the Clerk of the Senate be appointed as the Registrar for the Senate.

Your committee recommends that every Senator be required, within six months of assuming office or within six months after the coming into force of any legislation relating to conflict of interest and on May 31st of each year thereafter, to file with the Registrar a list of the companies in which the Senator, or the Senator's spouse or dependent child, has a beneficial interest through the holding of shares or has an interest as a holder of bonds, debentures or other securities (excluding bonds, debentures and notes issued or guaranteed by the government of Canada, a province or any other public body in Canada) either in an individual capacity or through a private investment company, a partnership or a trust in which the Senator has an interest.

As recommended by the House of Commons Committee, such disclosure would be made to the Registrar on a confidential basis and would not be made public, except under the terms of a court order or on the request of a Senate committee investigating a specific allegation of conflict of interest.

Your committee agrees with the recommendation in Proposal 10 of the Green Paper, as set out in subclause 7(1)(b) of the discussion draft, that all Members and Senators be required to register annually with the Clerk of the House or the Clerk of the Senate, as the case may be, a list of those companies of which they are officers, directors or managers. Your committee recommends that there also be a requirement to disclose the number of shares held by Members or Senators in such companies. Your committee also agrees with the suggestion in the Green Paper that there be public access to this information.

Your committee has considered the suggestion that Senators be required to file copies of their annual income tax returns but does not feel that this would serve any useful purpose. In the report of the Joint Committee of the Australian Senate and House of Representatives on Pecuniary Interests of Members of Parliament (September, 1975), it was concluded that the filing of income tax returns "would constitute neither an adequate nor an appropriate form of registration of pecuniary interests". Among other reasons, the Australian Joint Committee felt that such disclosure would lower the confidence of the general public in the observance of the secrecy requirements of the income tax legislation.

Your committee, therefore, recommends that a Senator be required to produce a copy of his income tax return only if requested to do so by a Senate committee investigating a specific allegation of conflict of interest.

SANCTIONS AND ADMINISTRATION

(Green Paper, Proposals 18 and 21)

1. Public Recourse

(Draft Act, clause 16)

Your committee is of the opinion that the provision in the draft Act allowing public recourse where the Attorney-General of Canada has failed or refused to institute proceedings could lead to many frivolous applications and should be deleted. Since the Green Paper provides that the Act is to be enforced by the Attorney-General of Canada who is responsible to Parliament and since a member of the public may at any time approach a Member or Senator from his area or communicate with the chairman of the appropriate Committee on Privileges established pursuant to Proposal 21 if that person considers that there has been a violation of the law, your committee is of the opinion that this is sufficient to provide a proper balance between the need to preserve the integrity of Senators and the need to ensure that there is adherence to the provisions of the legislation relating to conflict of interest.

2. Committee on Privileges

Your committee is of the opinion that consideration be given to the establishment of an appropriate standing or special Senate committee, or a subcommittee of the Senate constituted as a committee of the whole on privileges, whose terms of reference in relation to matters of conflict of interest would, pursuant to the suggestion contained in Proposal 21 of the Green Paper, be

- (a) to investigate all questions of conflict of interest referred to it by the Senate,
- (b) to provide Senators on request with advisory opinions, and
- (c) to advise the Senate, from time to time, of any changes that in its opinion are needed in conflict of interest legislation.

CODE OF CONDUCT

Certain proposals in the Green Paper contain recommendations for rules that would serve as basic guidelines to be observed by Members and Senators in avoiding conflict of interest situations. Such rules relate to the conduct of Senators outside the Senate and, as such, could not properly form part of the rules of procedure in the Senate. Proposal 3, which relates to prohibited fees and Proposal 17, which relates to the management of private investments and the use of confidential information, are two such recommendations.

Your committee recommends that consideration be given to the drafting of a code of conduct that would incorporate these and other recommendations of a like nature. Such a code could form an essential adjunct to the Rules of the Senate and could serve as a guide to any committee investigating a conflict of interest situation in which the principles embodied in the code are alleged to have been violated.

Respectfully submitted.

H. CARL GOLDENBERG,
Chairman.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 208

Wednesday, 30th June, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Connolly	Fournier	Lapointe,	Petten,
Asselin,	(Ottawa West),	(Restigouche-	Lefrançois,	Phillips,
Austin,	Cook,	Gloucester),	Macdonald,	Quart,
Barrow,	Côté,	Goldenberg,	Macnaughton,	Riel,
Basha,	Cottreau,	Graham,	McDonald,	Riley,
Beaubien,	Croll,	Greene,	McElman,	Rowe,
Benidickson,	Davey,	Grosart,	McGrand,	Smith
Bonnell,	Denis,	Hayden,	McIlraith,	(Colchester),
Bourget,	Eudes,	Hicks,	McNamara,	Smith (Queens-
Buckwold,	Flynn,	Lafond,	Michaud,	Shelburne),
Cameron,	Forsey,	Laird,	Molgat,	Stanbury,
Carter,	Fournier	Lamontagne,	Neiman,	Thompson,
Choquette,	(Madawaska-	Lang,	Norrie,	Walker,
	Restigouche),	Langlois,	Perrault,	Yuzyk.

PRAYERS.

A Message was brought from the House of Commons by their Clerk with a Bill C-68, intituled: "An Act to amend the Medical Care Act", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be placed on the Orders of the Day for a second reading later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Canada Labour Relations Board for the first 25 months of its operations ending March 31, 1975, pursuant to section 210(2) of the *Canada Labour Code*, Chapter 18, Statutes of Canada 1972.

Report of the Department of External Affairs for the year ended December 31, 1975, pursuant to section 6 of the *Department of External Affairs Act*, Chapter E-20, R.S.C., 1970.

Report entitled "Halifax Relief Commission 1918-1976", issued by the Minister of Finance.

Report of the President of the Medical Research Council, including accounts and financial statement certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to section 17 of the *Medical Research Council Act*, Chapter M-9, R.S.C., 1970.

Report of the National Farm Products Marketing Council, including a statement of expenses, for the fiscal year ended March 31, 1976, pursuant to section 16 of the *Farm Products Marketing Agencies Act*, Chapter 65, Statutes of Canada, 1970-71-72.

Report of the Standards Council of Canada for the fiscal year ended March 31, 1976, including its financial statements certified by the Auditor General, pursuant to section 20 of the *Standards Council of Canada Act*, Chapter 41 (1st Supplement), R.S.C., 1970.

Report of the President of the Federal Business Development Bank, including accounts and financial statements and the auditor's report thereon, for the fiscal year ended March 31, 1976, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter 10, R.S.C., 1970.

Report of agreements made under the *Agricultural Products Co-operative Marketing Act* for the fiscal year ended March 31, 1976, pursuant to section 7 of the said Act, Chapter A-6, R.S.C., 1970.

The Honourable Senator Forsey from the Standing Joint Committee on Regulations and other Statutory Instruments, presented its Ninth Report as follows:—

WEDNESDAY, June 30, 1976.

The Standing Joint Committee on Regulations and other Statutory Instruments has the honour to present its Ninth Report as follows:

In accordance with its permanent reference, section 26, The Statutory Instruments Act, 1970-71-72, c. 38, your Committee proposes to continue its review and scrutiny of statutory instruments during the adjournment of Parliament in the summer of 1976.

Your Committee therefore recommends that for this purpose, and notwithstanding an Order of the Senate of Tuesday, October 29, 1974, respecting the quorum of the Committee, the Joint Chairmen be authorized to hold meetings during the forthcoming summer recess to receive and authorize the printing of evidence when three members of the Committee are present, provided both Houses are represented.

Respectfully submitted,

EUGENE A. FORSEY,
Joint Chairman.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Bonnell, that the Report be taken into consideration at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday next, 6th July, 1976, at eight o'clock in the evening.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Order of the Senate of 6th May, 1976, that until the Senate adjourns for the summer recess, the Senate shall adjourn at three thirty o'clock in the afternoon on Wednesdays, be rescinded for this day only.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the third reading of the Bill C-20, intituled: "An Act respecting citizenship".

After debate,

The Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,

With leave of the Senate,

The Honourable Senator Austin resumed the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Bourget, P.C., for the adoption of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Lang moved, seconded by the Honourable Senator Cook, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator McDonald moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that the Bill C-88, intituled: "An Act to amend the Canadian Wheat Board Act (No. 2)", be read the second time.

After debate,

The Honourable Senator Macdonald for the Honourable Senator Yuzyk moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered. That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-68, intituled: "An Act to amend the Medical Care Act", be read the second time.

After debate,

The Honourable Senator Grosart for the Honourable Senator Smith (*Colchester*) moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Forsey called the attention of the Senate to the action of the Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the Public Service.

After debate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C., that further debate on the inquiry be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 209

Tuesday, 6th July, 1976

8.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cottreau,	Godfrey,	Lefrançois,	Phillips,
Asselin,	Croll,	Goldenberg,	Lucier,	Quart,
Austin,	Davey,	Graham,	Macdonald,	Riel,
Barrow,	Denis,	Greene,	Macnaughton,	Riley,
Basha,	Deschatelets,	Grosart,	Manning,	Rowe,
Bélisle,	Desruisseaux,	Haig,	McDonald,	Smith
Bell,	Eudes,	Hayden,	McElman,	(Colchester),
Benidickson,	Flynn,	Hays,	McGrand,	Smith
Bonnell,	Forsey,	Hicks,	McIlraith,	(Queens-
Buckwold,	Fournier	Lafond,	McNamara,	Shelburne),
Burchill,	(de Lanaudière),	Laird,	Michaud,	Sparrow,
Cameron,	Fournier	Lamontagne,	Molgat,	Stanbury,
Carter,	(Madawaska-	Lang,	Neiman,	Thompson,
Choquette,	Restigouche),	Langlois,	Paterson,	van Roggen,
Connolly	Fournier	Lapointe,	Perrault,	Walker,
(Ottawa West),	(Restigouche-	Lawson,	Petten,	Yuzyk.
Cook,	Gloucester),			
Côté,				

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Copies of Joint Declaration, issued following the International Conference held in Puerto Rico, June 27-28, 1976.

Copies of report to the Minister of National Health and Welfare from the Canada Pension Plan Advisory Committee on private retirement, disability and survivorship plan.

Report on operations under the *Regional Development Incentives Act* for the month of February 1976, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Report of operations under the *Civil Service Insurance Act* for the fiscal year ended March 31, 1976, pursuant to section 21(2) of the said Act, Chapter 49, R.S.C., 1952.

Report of the Army Benevolent Fund Board, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to section 13 of the *Army Benevolent Fund Act*, Chapter A-16, R.S.C., 1970.

Report on the administration of the *Canadian Forces Superannuation Act*, for the fiscal year ended March 31, 1976, pursuant to section 28 of the said Act, Chapter C-9, R.S.C., 1970.

Report on the administration of the *Canadian Forces Superannuation Act*, Part II, including amounts credited to or charged against the Regular Force Death Benefit Account for the fiscal year ended March 31, 1976, pursuant to section 41 of the said Act, Chapter C-9, R.S.C., 1970.

Statement by the Department of National Defence of moneys received and disbursed in the Special Account (Replacement of Materiel) for the fiscal year ended March 31, 1976, pursuant to section 11(4) of the *National Defence Act*, Chapter N-4, R.S.C., 1970.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the third reading of the Bill C-20, intituled: "An Act respecting citizenship".

After debate,

In amendment, the Honourable Senator Macdonald moved, seconded by the Honourable Senator Grosart, that the Bill be not now read the third time but that it be referred back to the Standing Senate Committee on Foreign Affairs for consideration of the implications of section 33.

After debate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that further debate on the motion in amendment be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Greene, P.C., resumed the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Bourget, P.C., for the adoption of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

The Honourable Senator Lang moved, seconded by the Honourable Senator Smith (*Queens-Shelburne*), that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator McDonald, seconded by the Honourable Senator Smith (*Queens-Shelburne*), for the second reading of the Bill C-88, intituled: "An Act to amend the Canadian Wheat Board Act (No. 2)".

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the second time.

The Honourable Senator McDonald moved, seconded by the Honourable Senator Petten, that the Bill be referred to the Standing Senate Committee on Agriculture.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Denis, P.C., seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-68, intituled: "An Act to amend the Medical Care Act",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate proceeded to the consideration of the Ninth Report of the Standing Joint Committee on Regulations and other Statutory Instruments.

The Honourable Senator Forsey moved, seconded by the Honourable Senator Lafond, that the Report be adopted now.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the Public Service,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications.

After debate,

The Honourable Senator Petten moved, seconded by the Honourable Senator Molgat, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Argue moved, seconded by the Honourable Senator Bell:

That the Standing Senate Committee on Agriculture be authorized to publish and distribute its report on Kent County, New Brunswick, as soon as it becomes available, even though the Senate may not then be sitting.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 210

Wednesday, 7th July, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lapointe,	Phillips,
Asselin,	Côté,	(<i>Restigouche-</i>	Lawson,	Quart,
Austin,	Cottreau,	<i>Gloucester</i>),	Lefrançois,	Riel,
Barrow,	Croll,	Godfrey,	Lucier,	Riley,
Basha,	Davey,	Goldenberg,	Macdonald,	Robichaud,
Bélisle,	Denis,	Graham,	Macnaughton,	Rowe,
Bell,	Deschatelets,	Greene,	Manning,	Smith
Benidickson,	Desruisseaux,	Grosart,	McDonald,	(<i>Colchester</i>),
Bonnell,	Eudes,	Haig,	McElman,	Smith (<i>Queens-</i>
Bourget,	Flynn,	Hayden,	McGrand,	<i>Shelburne</i>),
Buckwold,	Forsey,	Hays,	McIlraith,	Sparrow,
Burchill,	Fournier	Hicks,	McNamara,	Stanbury,
Cameron,	(<i>de Lanaudière</i>),	Lafond,	Michaud,	Sullivan,
Carter,	Fournier	Laird,	Molgat,	Thompson,
Choquette,	(<i>Madawaska-</i>	Lamontagne,	Neiman,	van Roggen,
Connolly	<i>Restigouche</i>),	Lang,	Perrault,	Walker,
(<i>Ottawa West</i>),		Langlois,	Petten,	Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Farm Credit Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Copies of a letter to Mr. Roger Demers, President, Association des Gens de l'Air du Québec from the Minister of Transport, dated July 1, 1976 respecting bilingual air traffic services in Quebec.

Copies of a letter to the Minister of Transport from the three Commissioners appointed for the purpose of inquiring into the safety of the introduction of bilingual IFR Air Traffic Services in the Province of Quebec, dated July 6, 1976.

Copies of Framework Agreement for Commercial and Economic Co-operation between Canada and the European Communities. Done at Ottawa, July 6, 1976.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Thursday, 8th July, 1976, at eleven o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Order of the Senate of 6th May, 1976, that until the Senate adjourns for the summer recess, the Senate shall adjourn at three thirty o'clock in the afternoon on Wednesdays, be rescinded.

The question being put on the motion, it was—
Resolved in the affirmative.

Ordered, That the letter to Mr. Roger Demers, President, Association des Gens de l'Air du Québec from the Minister of Transport, dated July 1, 1976 respecting bilingual air traffic services in Quebec and the letter to the Minister of Transport from the three Commissioners appointed for the purpose of inquiring into the safety of the introduction of bilingual IFR Air Traffic Services in the Province of Quebec, dated July 6, 1976, tabled today, be printed as an Appendix to the Debates of the Senate of this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the third reading of the Bill C-20, intituled: "An Act respecting citizenship", and

On the motion in amendment thereto of the Honourable Senator Macdonald, seconded by the Honourable Senator Grosart, that the Bill be not now read the third time, but that it be referred back to the Standing Senate Committee on Foreign Affairs for consideration of the implications of section 33,

It was—

Ordered, That it be postponed until later this day.

The Order of the Day being read,
With leave of the Senate,

The Honourable Senator Perrault, P.C., resumed the debate on the motion of the Honourable Senator Hayden, seconded by the Honourable Senator Bourget, P.C., for the adoption of the Report of the Standing Senate Committee on Banking, Trade and Commerce on the Bill C-58, intituled: "An Act to amend the Income Tax Act".

After debate,

In amendment, the Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator McIlraith, P.C., that the Report be not now adopted but that it be referred back to the Standing Senate Committee on Banking, Trade and Commerce for further consideration and report.

After debate, and—

The question being put on the motion in amendment, it was—

Resolved in the affirmative.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting today, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate reverted to Orders of the Day.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Denis, P.C., seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-68, intituled: "An Act to amend the Medical Care Act".

After debate,

The Honourable Senator Phillips moved, seconded by the Honourable Senator Haig, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the Public Service,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Lamontagne, P.C., moved, seconded by the Honourable Senator Forsey:

That the Senate affirms its full support of the *Official Languages Act*, including the right of air pilots to operate in the province of Quebec in either of the two official languages according to their choice, provided that the exercise of that right be compatible with air safety standards as certified from time to time under the authority of the *Aeronautics Act*.

After debate,

The Honourable Senator Flynn, P.C. moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the third reading of the Bill C-20, intituled: "An Act respecting citizenship", and

On the motion in amendment thereto of the Honourable Senator Macdonald, seconded by the Honourable Senator Grosart, that the Bill be not now read the third time, but that it be referred back to the Standing Senate Committee on Foreign Affairs for consideration of the implications of section 33.

After debate, and—

The question being put on the motion in amendment, it was—

Resolved in the negative, on division.

After debate, and—

The question being put on the motion of the Honourable Senator Connolly, P.C., seconded by the Honourable Senator Macnaughton, P.C., for the third reading of the Bill, it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Journals of the Senate

No. 211

Thursday, 8th July, 1976

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Cook,	Fournier	Lapointe,	Quart,
Asselin,	Côté,	(<i>Restigouche-</i>	Lawson,	Riel,
Austin,	Cottreau,	<i>Gloucester</i>),	Lefrançois,	Riley,
Barrow,	Croll,	Goldenberg,	Lucier,	Robichaud,
Basha,	Davey,	Graham,	Macdonald,	Rowe,
Bélisle,	Denis,	Greene,	Macnaughton,	Smith
Bell,	Desruisseaux,	Grosart,	McDonald,	(<i>Colchester</i>),
Benidickson,	Eudes,	Haig,	McElman,	Smith (<i>Queens-</i>
Bonnell,	Flynn,	Hayden,	McGrand,	<i>Shelburne</i>),
Bourget,	Forsey,	Hicks,	McIlraith,	Sparrow,
Buckwold,	Fournier	Lafond,	McNamara,	Sullivan,
Burchill,	(<i>de Lanaudière</i>),	Laird,	Michaud,	Thompson,
Cameron,	Fournier	Lamontagne,	Perrault,	van Roggen,
Carter,	(<i>Madawaska-</i>	Lang,	Petten,	Walker,
Choquette,	<i>Restigouche</i>),	Langlois,	Phillips,	Yuzyk.
Connolly				

(*Ottawa West*),

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the number and amount of Loans to Immigrants made under section 65(1) of the *Immigration Act* for the fiscal year ended March 31, 1976, pursuant to section 65(6) of the said Act, Chapter I-2, R.S.C., 1970.

Copies of Statement on operations under *The Returned Soldiers' Insurance Act* for the fiscal year ended March 31, 1976, pursuant to section 17(2) of the said Act, Chapter 59, Statutes of Canada, 1951.

Copies of Statement on operations under the *Veterans Insurance Act* for the fiscal year ended March 31, 1976, pursuant to section 18(2) of the said Act, Chapter V-3, R.S.C., 1970.

Report of Canadian Arsenals Limited, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting today and that Rule 76(4) be suspended in relation thereto.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Denis, P.C., seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-68, intituled: "An Act to amend the Medical Care Act",

It was—
Ordered, That it be postponed until later this day.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Forsey:

That the Senate affirms its full support of the *Official Languages Act*, including the right of air pilots to operate in the province of Quebec in either of the two official languages according to their choice, provided that the exercise of that right be compatible with air safety standards as certified from time to time under the authority of the *Aeronautics Act*,

It was—
Ordered, That it be postponed until later this day.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Green Paper entitled: "Members of Parliament and Conflict of Interest",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the Public Service,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Department of National Revenue in the case of the Christian Evangelical Centre of Canada.

Debated.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Argue from the Standing Senate Committee on Agriculture to which was referred the Bill C-88, intituled: "An Act to amend the Canadian Wheat Board Act (No. 2)", reported that it had examined the said Bill and had directed him to report the same to the Senate without amendment.

With leave of the Senate,

The Honourable Senator McDonald moved, seconded by the Honourable Senator Laird, that the Bill be read the third time now.

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately two o'clock p.m., it was—

Resolved in the affirmative. 11.40 a.m.

The sitting of the Senate was resumed. 2.30 p.m.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Denis, P.C., seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-68, intituled: "An Act to amend the Medical Care Act".

After debate,

The Honourable Senator Flynn, P.C., moved, seconded by the Honourable Senator Grosart, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative, on division.

The Order of the Day being again called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Forsey:

That the Senate affirms its full support of the *Official Languages Act*, including the right of air pilots to operate in the province of Quebec in either of the two official languages according to their choice, provided that the exercise of that right be compatible with air safety standards as certified from time to time under the authority of the *Aeronautics Act*,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

*With leave,
The Senate reverted to Notices of Motions.*

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by
the Honourable Senator Bourget, P.C.:

That when the Senate adjourns today, it do stand
adjourned until Tuesday next, 13th July, 1976, at eight
o'clock in the evening.

After debate, and—
The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by
the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



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Canada

Journals of the Senate

No. 212

Tuesday, 13th July, 1976

8.00 o'clock p.m.

The Honourable MAURICE BOURGET, P.C., Speaker, *pro tem.*

The Members convened were:

The Honourable Senators

Argue,
Austin,
Basha,
Beaubien,
Benidickson,
Bonnell,
Bourget,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Côté,
Croll,

Davey,
Denis,
Deschatelets,
Eudes,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),
Fournier
(Restigouche-
Gloucester),

Godfrey,
Goldenberg,
Greene,
Grosart,
Haig,
Hayden,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,
Lefrançois,
Lucier,

Macdonald,
Macnaughton,
Manning,
McDonald,
McElman,
McGrand,
McIlraith,
McNamara,
Molgat,
Molson,
Norrie,
Paterson,
Perrault,

Petten,
Phillips,
Riel,
Riley,
Robichaud,
Smith (Queens-
Shelburne),
Sparrow,
Stanbury,
Thompson,
Walker,
Williams,
Yuzyk.

The Clerk at the Table informed the Senate that the Honourable the Speaker was unavoidably absent.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Flynn, P.C.:—

That, during the absence of the Honourable the Speaker, the Honourable Senator Bourget, P.C., do preside as Speaker.

The question of concurrence being put thereon, the Clerk declared the motion carried in the affirmative.

Whereupon the Honourable Senator Bourget, P.C., took the Chair.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Revised Capital Budget of Atomic Energy of Canada Limited for the fiscal year ending March 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-1500, dated June 22, 1976, approving same.

Report of Atomic Energy of Canada Limited, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970. (English text).

Report of the Superintendent of Insurance on the administration of the *Pension Benefits Standards Act* for the fiscal year ended March 31, 1976, pursuant to section 22 of the said Act, Chapter P-8, R.S.C., 1970.

Report respecting receipts and expenditures under Part V (Sick Mariners) of the *Canada Shipping Act* for the fiscal year ended March 31, 1976, pursuant to section 306 of the said Act, Chapter S-9, R.S.C., 1970. *Nil Return*. (French text).

Copies of Reports of the Anti-Inflation Board to His Excellency the Governor General in Council reporting its reference to the Administrator of the *Anti-Inflation Act* of—

(1) Collective agreement between the Atlantic Consolidated Foods Limited, Atlantic Sugar Division and the employees represented by the Bakery and Confectionery Worker's International Union of America, Local 443.

(2) Collective agreement between Western Grocers Limited, Winnipeg, Manitoba and the employees represented by the Retail Wholesale and Department Store Union, Local 469.

(3) Collective agreement between City Motors Ltd., St. John's, Newfoundland and the employees represented by the Transport and Allied Workers Union, Local 855.

(4) Collective agreement between Hickman Motors Ltd., St. John's, Newfoundland and the employees represented by the Transport and Allied Workers Union, Local 855.

(5) Collective agreement between City Motors Ltd., Gander, Newfoundland and the employees represented by the International Association of Machinists and Aerospace Workers, Local 544.

(6) Collective agreement between Hickman Motors Ltd., Gander, Newfoundland and the employees represented by the International Association of Machinists and Aerospace Workers, Local 544.

(7) Collective agreement between City Motors Ltd., Corner Brook, Newfoundland and the employees represented by the International Association of Machinists and Aerospace Workers, Local 544.

Copies of Orders of the Administrator under the *Anti-Inflation Act*, pursuant to section 17(3) of the said Act, Chapter 75, Statutes of Canada 1974-75-76, dated July 8, 1976, and letters thereon from the Administrator to the Minister of National Revenue, respecting—

(1) Collective agreement between the Sudbury District Roman Catholic Separate School Board and the employees represented by the Canadian Union of Public Employees, Local 1369.

(2) Collective agreement between the Wentworth County Board of Education, Hamilton, Ontario and the employees in the secretarial, clerical group.

Report of the National Librarian for the fiscal year ended March 31, 1976, pursuant to section 13 of the *National Library Act*, Chapter N-11, R.S.C., 1970.

List of Commissions issued under authority of section 3 of the *Public Officers Act* during the year ended December 31, 1975, pursuant to section 4 of the said Act, Chapter P-30, R.S.C., 1970.

Report of the Canadian Radio-Television Commission for the fiscal year ended March 31, 1976, pursuant to section 31 of the *Broadcasting Act*, Chapter B-11, R.S.C., 1970.

Capital Budget of Air Canada for the year ending December 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-1573, dated June 22, 1976, approving same.

Capital Budget of The St. Lawrence Seaway Authority for the year ending March 31, 1977, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copy of Order in Council P.C. 1976-1572, dated June 22, 1976, approving same.

Report of the Canadian Broadcasting Corporation, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to section 47 of the *Broadcasting Act*, Chapter B-11, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of Teleglobe Canada, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to section 16 of the *Teleglobe Canada Act*, Chapter 77, Statutes of Canada 1974-75-76, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Denis, P.C., seconded by the Honourable Senator Bourget, P.C., for the second reading of the Bill C-68, intituled: "An Act to amend the Medical Care Act".

After debate, and—

The question being put on the motion,

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Argue	Laird
Austin	Lamontagne
Basha	Langlois
Benidickson	Lefrançois
Bonnell	Lucier
Cameron	Macnaughton
Carter	McDonald
Connolly	McElman
(Ottawa West)	McGrand
Côté	McNamara
Croll	Molgat
Davey	Molson
Denis	Norrie
Deschatelets	Perrault
Eudes	Petten
Fournier	Riel
(de Lanaudière)	Riley
Fournier	Robichaud
(Restigouche- Gloucester)	Smith
Godfrey	(Queens-Shelburne)
Goldenberg	Sparrow
Hayden	Stanbury
Lafond	Thompson
	Williams—43.

NAYS

The Honourable Senators

Beaubien	Haig
Choquette	Macdonald
Flynn	Manning
Fournier	Phillips
(Madawaska- Restigouche)	Walker
Grosart	Yuzyk—11.

So it was resolved in the affirmative.

The Bill was then read the second time, on division.

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill be committed to a Committee of the Whole presently.

The question being put on the motion, it was—
Resolved in the affirmative.

The Senate was accordingly adjourned during pleasure and put into a Committee of the Whole on the Bill, the Honourable Senator Macnaughton, P.C., in the Chair.

—In the Committee—

Pursuant to Rule 18 of the Rules of the Senate, the Honourable Marc Lalonde, P.C., Minister of National Health and Welfare, was escorted to a seat in the Senate Chamber.

The Title of the Bill was read and postponed.

Clause 1 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 1 of the Bill, it was—

Resolved in the affirmative.

Clause 2 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 2 of the Bill, it was—

Resolved in the affirmative.

Clause 3 of the Bill was read.

After debate, and—

The question of concurrence being put on clause 3 of the Bill, it was—

Resolved in the affirmative.

The Title of the Bill was again read.

The question of concurrence being put on the Title of the Bill, it was—

Resolved in the affirmative.

After some time the sitting was resumed, and—

The Honourable Senator Macnaughton, P.C., from the Committee reported that they had taken the Bill into consideration and had directed him to report the same to the Senate without amendment.

The Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Fournier (*de Lanaudière*), that the Bill be placed on the Orders of the Day for a third reading at the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Forsey:

That the Senate affirms its full support of the *Official Languages Act*, including the right of air pilots to operate in the province of Quebec in either of the two official languages according to their choice, provided that the exercise of that right be compatible with air safety standards as certified from time to time under the authority of the *Aeronautics Act*,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Green Paper entitled: "Members of Parliament and Conflict of Interest",

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the Public Service,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—
Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 213

Wednesday, 14th July, 1976

2.00 o'clock p.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,	Croll,	Goldenberg,	Macdonald,	Petten,
Asselin,	Davey,	Greene,	Macnaughton,	Phillips,
Austin,	Denis,	Grosart,	Manning,	Riley,
Barrow,	Deschatelets,	Haig,	McDonald,	Robichaud,
Basha,	Eudes,	Hayden,	McElman,	Smith (<i>Colchester</i>),
Beaubien,	Flynn,	Hicks,	McGrand,	Smith (<i>Queens-</i>
Benidickson,	Forsey,	Lafond,	McIlraith,	<i>Shelburne</i>),
Bonnell,	Fournier	Laird,	McNamara,	Sparrow,
Bourget,	(<i>Madawaska-</i>	Lamontagne,	Molgat,	Stanbury,
Cameron,	<i>Restigouche</i>),	Lang,	Molson,	Thompson,
Carter,	Fournier	Langlois,	Neiman,	van Roggen,
Choquette,	(<i>Restigouche-</i>	Lapointe,	Norrie,	Walker,
Connolly	<i>Gloucester</i>),	Lefrançois,	Paterson,	Williams,
(<i>Ottawa West</i>),	Godfrey,	Lucier,	Perrault,	Yuzyk.
Côté,				

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report of the Textile and Clothing Board, dated May 12, 1976, to the Minister of Industry, Trade and Commerce, pursuant to section 19 of the *Textile and Clothing Board Act*, Chapter 39, Statutes of Canada, 1970-71-72, respecting textured polyester filament yarn.

Report of the Tax Review Board for the year ended December 31, 1975, pursuant to section 17 of the *Tax Review Board Act*, Chapter 11, Statutes of Canada, 1970-71-72.

Copies of Report of the Commission of Inquiry into events at the British Columbia Penitentiary June 9 to 11, 1975 (Chief Justice John L. Farris of the British Columbia Supreme Court, Chairman), dated September 1975, issued by the Department of the Solicitor General.

Copies of an Agreement between: The Government of Quebec and The Société d'Énergie de la Baie James and The Société de Développement de la Baie James and The Commission Hydro-Électrique de Québec (Hydro-Québec) and: The Grand Council of the Crees (of Quebec) and The James Bay Crees and The Northern Quebec Inuit Association and The Inuit of Quebec and The Inuit of Port Burwell and: The Government of Canada, dated November 11, 1975 and amendments thereto dated December 12, 1975.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That the Standing Senate Committee on Banking, Trade and Commerce have power to sit while the Senate is sitting today, and that Rule 76(4) be suspended in relation thereto.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Honourable Senator Denis, P.C., moved, seconded by the Honourable Senator Bourget, P.C., that the Bill C-68, intituled: "An Act to amend the Medical Care Act", be read the third time.

After debate, and—

The question being put on the motion, it was—
Resolved in the affirmative.

The Bill was then read the third time and passed.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Forsey:

That the Senate affirms its full support of the *Official Languages Act*, including the right of air pilots to operate in the province of Quebec in either of the two official languages according to their choice, provided that the exercise of that right be compatible with air safety standards as certified from time to time under the authority of the *Aeronautics Act*.

After debate,

The Honourable Senator Carter moved, seconded by the Honourable Senator McDonald, that further debate on the motion be adjourned until later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Green Paper entitled: "Members of Parliament and Conflict of Interest",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the

Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the Public Service,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

A Message was brought from the House of Commons by their Clerk with a Bill C-84, intituled: "An Act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences", to which they desire the concurrence of the Senate.

The Bill was read the first time.

With leave of the Senate,

The Honourable Senator Lang moved, seconded by the Honourable Senator Petten, that the Bill be read the second time now.

After debate,

The Honourable Senator Asselin, P.C. moved, seconded by the Honourable Senator Choquette, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eight o'clock p.m., it was—

Resolved in the affirmative. 4.30 p.m.

The sitting of the Senate was resumed. 8.15 p.m.

With leave,

The Senate reverted to Reports of Committees.

The Honourable Senator Hayden from the Standing Senate Committee on Banking, Trade and Commerce to which was referred back the Bill C-58, intituled: "An Act to amend the Income Tax Act", reported that it had further examined the said Bill and had directed him to report the same to the Senate, without amendment, but with certain observations.

Ordered, That the Report be printed as an Appendix to the Debates of the Senate and to the Minutes of the Proceedings of the Senate of this day and form part of the permanent records of this House.

(See Appendix to the Journals of the Senate of this day at pages 969-973).

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read the third time now.

After debate,

The Honourable Senator Lang moved, seconded by the Honourable Senator Smith (*Colchester*), that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the negative.

The question then being put on the motion of the Honourable Senator Perrault, P.C., seconded by the Honourable Senator Langlois, for the third reading of the Bill, it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamonagne, P.C., seconded by the Honourable Senator Forsey:

That the Senate affirms its full support of the *Official Languages Act*, including the right of air pilots to operate

in the province of Quebec in either of the two official languages according to their choice, provided that the exercise of that right be compatible with air safety standards as certified from time to time under the authority of the *Aeronautics Act*.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

With leave,

The Senate reverted to Notices of Motions.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Thursday, 15th July, 1976, at ten o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.

APPENDIX

(See p. 967.)

Wednesday, July 14, 1976

The Standing Senate Committee on Banking, Trade and Commerce to which was referred back for further consideration its Report on Bill C-58, "An Act to amend the Income Tax Act", has, in obedience to the order of reference of July 7, 1976, re-examined the said Report and now reports as follows:

Your Committee considers it urgent that the following observations be made as the basis for its report. This reference back to the Committee for further consideration and report was made after some debate during which various and opposing views were expressed in the Senate, from which it appeared such reference back should be made in order that the Committee might reconsider the amendments contained in the said report, it appearing that such amendments in the form contained in the report were not acceptable to the Government and it also appearing that the practice of dealing with the differences as between the report and the position of the Government by undertakings which might well represent concessions by both parties should be tested. The motion to refer back the report of the Committee for further consideration and report was approved.

Following the approval of the reference back of the report of the Committee, meetings have been held by the Committee with the Ministers who will be concerned in the administration of C-58, with the following results:

The first Minister to appear before the Committee was the Minister of Communications, the Honourable Jeanne Sauvé. It should be noted in this connection that on January 23, 1975, the Secretary of State of Canada made a statement to the House of Commons in part in respect of the broadcasting provisions of C-58, in which he referred to the amendments of section 19 of the *Income Tax Act* in their application to broadcasting, as follows:

"... no deduction against income be permitted for advertising time on a non-Canadian broadcasting station for an advertisement directed primarily to a market in Canada. Such an amendment would not, of course, come into effect until sufficient advertising time is available on Canadian stations to satisfy Canadian needs adequately."

One of the amendments contained in the said report dealt with procedure for such determination by Parliament, but such provision appears restrictive in its application if Parliament is not in session. The Minister on this point stated as follows:

1. THE CHAIRMAN: "In lieu of that (going back to the House), it is up to you, as the Minister, to make the determination that the conditions existing in the advertising industry, as Mr. Faulkner mentioned on January 23, 1975, are such that it can be said that the needs of the advertising public are adequately satisfied.

HON. MRS. SAUVÉ: Yes.

THE CHAIRMAN: I take it this is a decision you will make.

HON. MRS. SAUVÉ: Yes."

2. THE CHAIRMAN: "... What we are suggesting, in the event that you do it yourself, is that there be opportunity for the stations affected to appear and present their case, with time limits on their appearance, so that they will not run into September 1.

HON. MRS. SAUVÉ: I think I could meet that requirement. I am sure that I could receive representations from interested parties, who would flag me if there were any problems with regard to the date of proclamation that I intend to set. I think it would be difficult for me to take on a commitment to ask the CRTC, for instance, to do that for me, which would involve, I suppose, having public hearings on the matter, I think that would be quite a lengthy process..."

3. HON. MRS. SAUVÉ: "... I think, however, that Senators would perhaps be satisfied, if I accepted briefs or representations from interested parties in order to ensure that broadcasting time would be available in Toronto and in Vancouver. I do not think Vancouver will be a problem. Toronto might, in the estimation of some, pose a problem, but I would certainly be willing to receive representations on that.

THE CHAIRMAN: Of course, the proclamation would bring the broadcast sections into force, applying to all the border stations in Canada, so that Toronto becomes, in that regard, just as important as Vancouver, even though Vancouver has a new station coming in.

HON. MRS. SAUVÉ: Yes.

THE CHAIRMAN: So when you make the law applicable to broadcasting you must cover it and rule in connection with all the areas.

HON. MRS. SAUVÉ: Yes.

THE CHAIRMAN: I do not see any objection that could possibly be made to your making that inquiry yourself.

HON. MRS. SAUVÉ: I could do that.

THE CHAIRMAN: And it could be informal. The main thing is that the condition which Mr. Faulkner set out in his speech of January 23, 1975, was that it would not be proclaimed until the needs of the advertising public were adequately served, and that means in any of the communities that are affected.

HON. MRS. SAUVÉ: I certainly stand by the commitment that Mr. Faulkner made about the Bill. I think we will ensure that there is broadcasting time available for those advertisers who need it."

4. SENATOR LANG: "... I was not clear, Madame Minister, whether in your remarks concerning the proclamation date of the broadcasting provisions you were prepared to hold public hearings into the matter.

HON. MRS. SAUVÉ: No; I said that would be too difficult. I said I would be prepared to receive representations

and briefs from the interested parties before I decided on a proclamation date, and that would be in order to ensure the conditions set by Mr. Faulkner whereby there would be some available advertising time on the Canadian broadcasting outlets."

5. SENATOR LANG: "... It is not because of Vancouver that this question arises, but because of the situation in the Toronto area. The Committee also felt that tying the proclamation date solely to the start-up date of the Vancouver station overlooked the Toronto problem which would, of course, be affected by the bill."

6. HON. MRS. SAUVÉ: "I would not disregard it. If it were demonstrated by the different representations that it got that there was no available time on the Canadian stations, then I would have to think about what would be the proper proclamation date. I would certainly not disregard the representations when I received them. You see, there is a difference of opinion as to whether there is some time available... So far as Vancouver is concerned, you were right. We would deal with that and the question there would be answered when the new station came on stream. We felt that that was sufficient to provide the advertisers with the space they needed. In the Toronto area you have no new station coming on stream, but I think that one of my officials gave you a breakdown of the time that was available, but he felt that the broadcasters would have the service that they need. Here again I cannot accept a public hearing, and I explained a while ago why I thought that was very difficult to do, but I would certainly accept representations. If the representations indicated to me that there is not enough available time on the Canadian stations, I would certainly take that into account in deciding the proclamation date; and, as I said, I would not disregard the representations."

SENATOR LANG: When you use the term "time available", do you take those words as not just meaning minutes or hours but also audience availability?

HON. MRS. SAUVÉ: Prime time, you mean, the best hours to advertise; I would think that would have to be part of the consideration.

SENATOR LANG: But you might have prime time on a station with a low audience rating.

HON. MRS. SAUVÉ: Yes. But if an advertiser wants to go on that station and if that is his usual means of advertising, then that would suit him and he would not be making representations to me that there was not enough time. I think we would have to look into all of these situations in order to ascertain that there is enough time.

SENATOR LANG: I should point out that I am no expert in these areas.

HON. MRS. SAUVÉ: Neither am I, but I can give you the commitment that it will be looked into very carefully. I understand that if someone is used to advertising on a station with a heavy audience rating, he does not want to be rerouted to some small town station where he gets no coverage."

7. The Minister of Communications in her statements to the Committee quoted above has dealt with the problems of implementing the statement of the Secretary of State of

Canada made in the House of Commons on January 23, 1975, in which the conditions required to be met before any determination of the date to be fixed by proclamation is settled for the coming into force of the Broadcast Section of C-58. Her agreement and statement on this point are:

a) that she will implement the conditions laid down by the Secretary of State of Canada for the necessary determination that "sufficient advertising time is available on Canadian stations to satisfy Canadian needs adequately", and

b) to that end she will receive representations and briefs from the interested parties before any such determination is made by her.

This statement of the Minister deals with the problem that the Committee wished to have resolved before any proclamation was made, providing for the coming into force of the Broadcasting Sections of C-58.

Accordingly, the Committee is prepared to accept this statement of the Minister, and therefore does not now insist on the amendment proposed in the report on that point.

INTERNATIONAL RELATIONS

8. As to the suggestion by the Minister of Communications on the matter of international relations that a committee or a body of people be set up with responsibility for negotiating with representatives from the United States, she had referred only to the subject of commercial deletion. It was suggested that such committee should cover the whole range of broadcasting. This, she stated, would be difficult as a committee is already set up to discuss the matter of commercial deletion and this is quite different from the matters we are dealing with in C-58. However, she showed that she was well aware of the general problem and that it was more embracing than commercial deletion.

Her statements on this point are as follows:

THE CHAIRMAN: "... the statement you have made; that is, that in the interests of resolving a possible conflict in the field of broadcasting, you would assist in establishing a committee or a body of people who would have the responsibility for negotiating with representatives from the United States. The only thing that bothered me about that was that your paragraph limits this to commercial deletion. I think, and this is the view of the members of the committee, that it should cover the whole range of broadcasting."

HON. MRS. SAUVÉ: I think that would be difficult... I don't think that the two questions should be lumped together. I don't think they belong together, and I am afraid that despite the fact that the senators are preoccupied by international relations, as I am too, I think the best thing to do, if you want those international relations to be preserved in these particular talks, is to make these two questions separate. Commercial deletion should be discussed with the representatives of the regulatory body in the United States and ours, and people from the External Affairs Department, the State Department and the relevant technical people. I think it is much more conducive to better relations between our two countries to have these two

questions separate. It seems to me that it would be very difficult otherwise, because Bill C-58 is not at the present time being discussed in that forum or in that committee, and Mr. Vine himself, when he was appearing before the Senate Committee giving the report on Canadian matters, did say that on the occasion of these meetings between the FCC and CRTC and other people there was a reference made to Bill C-58, but it was pointed out by the Canadians that this was an internal matter having to do with the Department of National Revenue and fiscal policy and therefore that it should not be discussed at the same time as commercial deletion. He indicated to the Senate Committee that he agreed with this position, and that he had noted it and agreed that these two questions should not be discussed together. I think it would be much more conducive to clearing these matters that we have between us if they could be discussed in separate forums."

This subject of relations with the United States and the effect on international relations of the provisions of C-58 was of great concern to many senators who spoke on C-58 on second reading and in Committee and on debate on the Committee report. Much evidence was heard by the Committee on this subject and the state of discussions and negotiations by Canada with the United States. In its report the Committee recognized the extreme importance of this issue and referred to the strain on Canada-U.S. relations which it regarded as so important to Canada. This importance was emphasized by the evidence of Mr. Boyle of the CRTC, who stated that most serious and complicated problems in this field were in the immediate offing. Accordingly, the Committee is very appreciative of the Minister's understanding of the situation and her concern and interest in devoting time and effort to discussions and negotiations in this area and the setting up of a Committee to this end.

RE: "SUBSTANTIALLY THE SAME"

The Committee in its efforts to achieve some common ground whereby the differences between the Committee report and the views and policy of the Government also heard the Honourable Mr. Cullen, the Minister of National Revenue. The report of the Committee was opposed to the exercise of ministerial discretion in the interpretation of the words "substantially the same" as they occur in section 19, subsection (5), of the *Income Tax Act*, on the basis that fixing a percentage of content difference between a periodical published in Canada as against one published outside Canada was a legislative act and not be determined by ministerial discretion.

The Committee in its report decided that a provision by way of amendment to C-58 should be recommended whereby the interpretation of the words "substantially the same" must be referred to the Federal Court for interpretation even before assessment, after which time the taxpayer had a statutory right of appeal.

The Minister, when recently before the Committee stated:

HON. MR. CULLEN: "I would prefer it in legislation; I am prepared to introduce legislation under a notice of

Ways and Means Motion to define "not substantially the same".

THE CHAIRMAN: Without reference to the 80 per cent?

HON. MR. CULLEN: In the concession I am making now, most assuredly I would define "not substantially the same" in the way Government policy has in effect defined it, the way my Department has interpreted it, the backing I had of my colleagues. What we mean by "not substantially the same" is 80 per cent different; otherwise we might as well tear up the bill."

HON. MR. CULLEN: "I mentioned putting it into legislation primarily because I think from sober second thought suggestions here that if we put it into regulations it is very easy for a Cabinet, by Order in Council, to change the 80 to 90, or change it to 100."

HON. MR. CULLEN: "I am giving that undertaking to introduce a Bill to define "substantially the same".

SENATOR AUSTIN: In the next session?

HON. MR. CULLEN: Yes."

With this undertaking by the Minister to introduce legislation at the next session of Parliament to define "substantially the same" including therein the 80 per cent content difference, Parliament, both the Commons and the Senate, will have the opportunity to challenge the definition and the 80 per cent content difference requirement included therein. On the other hand, the Committee provided for an appeal to the Courts as of right under C-58 on this point of interpretation by the Minister for a publisher who is defined as a person who has or proposes to have the exclusive right to produce and publish issues of a newspaper or periodical for such purposes.

The undertaking to define by statute removes the exercise of ministerial discretion and affords Parliament the opportunity to challenge the 80 per cent content difference even as the Committee amendment was intended to do. Under the Committee amendment, the Court would be able only to deal with a particular case as to the meaning of "substantially the same." A statutory definition would be of general application but unless concurred in by the Senate would have no force or effect.

The purposes of both amendments would appear to have the same objective, that is to get away from the exercise of ministerial discretion, which is a most desirable purpose.

The Committee is prepared to recommend the acceptance of the undertaking of the Minister of National Revenue to introduce a Bill in the Commons at the next session of Parliament to define the meaning of "not substantially the same". The Committee will not insist on its amendment contained in its first report but is not to be taken by such action to have approved of the provisions of the proposed amendment where it refers to the 80 per cent content difference.

These three undertakings hereinbefore described represent the major points of the Committee's original report. The purpose of several of these amendments was to restore the rule of law and the supremacy of Parliament. These undertakings, when implemented, will also accomplish this same purpose. The members of the Committee are not vain and wedded to their way as the only way of achieving this

desired result and the Committee is prepared to accept such undertakings in lieu of its amendments.

The Committee in its report did not erode the essential purposes of C-58. Indeed, the Committee supported and approved its stated objectives. The Committee is now prepared not to insist on its amendments on the several points covered by the undertakings outlined above but is not to be taken to approve the 80 per cent content difference, and is happy that this result was able to be achieved. The two Ministers the Honourable Jeanne Sauvé and the Honourable Bud Cullen in this regard were understanding and co-operated in the effort to resolve the differences in viewpoint as between the report of the Committee and the Government and this was much appreciated by the Committee.

The report of the Committee contained two further amendments. One such amendment dealt with the position of the magazine *MD of Canada* and similar publications and struck out the repeal of the exemption provided for magazines, the principal function of which is the encouragement, promotion or development of the fine arts, letters, scholarship or religion, under section 19(4) of the *Income Tax Act* and reinstated the exemption provided for such magazine.

The second amendment provided for a change in the date for the coming into force of the provisions of C-58 in relation to magazines, periodicals and newspapers by striking out the date of January 1, 1976, and substituting therefor the date January 1, 1977, and also changing the date December 31, 1975, as the date of an issue of a non-Canadian newspaper or periodical to December 31, 1976, after which advertising costs in such publications were non-deductible for tax purposes. The purpose of such changes in C-58 was to remove all exemptions provided under the original section 19(4) of the *Income Tax Act*.

The witnesses who appeared before our Committee and, in particular, the Honourable Mr. Cullen, who appeared on Wednesday afternoon, July 7, stated that C-58 was not intended to have any retroactive effect. The retroactivity occurred by reason of the prolonged debate as the Bill moved through Parliament, even at this date such Bill has not passed into law. However, under the above mentioned amendment proposed in C-58, once the Bill became law its provisions would apply to Canadian advertisers in issues of non-Canadian newspapers or periodicals and such advertising costs would be non-deductible for tax purposes as and from January 1, 1976. There was no design that such should be the effect of C-58, but the advertisers who continue to advertise in newspapers and periodicals enjoying an exemption under the then law would find themselves, after C-58 became the law, subject to C-58 and their advertising costs since January 1, 1976, would be non-deductible. For those who can show that hardship has been suffered by reason of this unintended retroactive effect of C-58, the provisions of section 17 of the *Financial Administration Act* are available for the purpose of applying for remission of such taxes as may be attracted in the period from January 1, 1976, until C-58 becomes law. This right to apply for remission does not require any undertaking in order to be asserted but hardship must be demon-

strated to the extent necessary to satisfy the Minister of National Revenue in order that he may recommend such remission to the Treasury Board.

In attempting to determine what advertisers have been adversely affected by this retroactive feature produced by the lengthy duration of the consideration by Parliament of C-58, it would appear to be essential that such advertisers as are seeking remission would have to incur a loss by reason of the retroactive non-deductibility of advertising costs before the calculation of taxes. It becomes important, then, to know the extent of the inducements offered to such advertisers in the way of lower advertising rates to compensate for the possible non-deductibility of such advertising costs in arriving at net income.

It would appear that a very limited number of advertisers would fit into this position by reason of the concessions made to them by the owners of non-Canadian newspapers and periodicals in 1976. Accordingly, for purposes of this report, it becomes necessary to arrive at some conclusion as to the extent of the problem and its importance. The report of the Committee and the amendments proposed in such reports to the Senate was intended to relieve against this situation, except that in the case of exemptions provided under section 19(4) the amendment proposed by the Committee restored the exemption thereby provided without time limitations.

Your Committee has had to weigh such considerations against the substantial advantages provided by the undertakings hereinbefore referred to by the Minister of Communications and the Minister of National Revenue. The view of the Committee is that such benefits as afforded are substantial and are in the public interest, and assist in affirming the rule of law and the supremacy of Parliament in the administration of C-58. The advantages in these circumstances of the undertakings which have been made by the respective Ministers on behalf of the Government would appear to outweigh in great measure the additional financial burden, if any, imposed on advertisers in non-Canadian newspapers and periodicals as from January 1, 1976.

So far as termination of the special exemptions are concerned heretofore enjoyed by non-Canadian newspapers and periodicals, it is a matter of Government policy to remove such special exemptions and the Committee has concluded that its insistence on the retention of the exemption under section 19(4) might adversely affect the undertakings referred to above, which are so important in the public interest and in the administration of C-58. Such insistence by the Committee in this report may well lead to the non-acceptance of the report and the implementation of C-58 without amendment and therefore without the substantial benefit afforded by the undertakings put forward by the Minister of Communications and the Minister of National Revenue. In these circumstances, the Committee is prepared to withdraw these two proposed amendments contained in its original report.

It should be noted that the Secretary of State of Canada, to whom the suggested compromises on these two points were made when he appeared before the Committee on July 8 and in respect of which he stated that he must

confer on these points with his colleague, the Minister of National Revenue, did not return to the Committee to indicate what, if any, decision had been arrived at. It is possible that he may have discussed the matter with the Government Leader in the Senate. However, the Secretary of State of Canada has written a letter to the Chairman of the Committee, copy of which is appended hereto, in which he offers certain concessions, as follows:

"In this regard, because of the great interest of you and your Committee in the objective of the Bill, I would be pleased to meet with the Committee next session to provide a status report on the effect of the legislation on meeting our objectives in the periodicals and broadcasting industries."

"Certainly, arising out of application of the Act, should evidence be placed before me that would warrant consideration of remission of taxes under the Financial Administration Act on behalf of advertiser/tax payers in these publications, that information will be transmitted to my colleague, the Minister of National Revenue. I am sure, however, you understand that within the terms of my Ministerial responsibility, I could not go beyond this commitment."

This letter has been read to the Committee and while it may indicate a sympathetic approach and appreciation of the work of the Committee, it does not propose anything that would relieve the condition of those advertisers or publishers who are adversely affected by C-58; more particularly on the two points developed earlier, namely retroactivity and the magazine *MD of Canada*.

The Committee is still of the opinion that the unplanned retroactive effect of the provisions of C-58, so far as they deal with non-deductibility of advertising costs by advertisers in non-Canadian newspapers and periodicals, should be relieved on the basis of unexpected hardship. There can be no assurance that this will occur under section 17 of the *Financial Administration Act*. The Committee is still of the view that non-Canadian newspapers and periodicals in the category covered by the exemption provided under section 19(4) should be afforded some period for efforts at compliance or for winding up their affairs and ceasing to carry on in Canada. However, while your Committee is genuinely concerned about this situation and the apparent refusal of the Secretary of State to make any concession by way of compromise on these costs, the Committee is not prepared to insist on its proposed amendments on these two points contained in its original report as the benefits of the undertakings put forward by the several Ministers substantially outweigh the results that may well occur in the withdrawal of these undertakings if amendments to the Bill are persisted in.

For the reasons above stated, satisfied as the Committee is that the principles which influenced its consideration of Bill C-58 and were reflected in the original report of the Committee are met by Government undertaking, and with genuine concern for those who will still be adversely affected by C-58, the Committee now reports the Bill without amendment.

Respectfully submitted,

SALTER A. HAYDEN,
Chairman.

APPENDIX TO REPORT

The Secretary of State of Canada

July 13, 1976

Personal

The Honourable S. A. Hayden

The Senate

Ottawa, Ontario

Dear Senator Hayden:

First of all, I want to thank you, as Chairman, and the other members of the Senate Banking, Trade and Commerce Committee for your diligent examination of Bill C-58.

I want to assure you that I have studied carefully the contents and recommendations contained in the report. It is gratifying to note that the Committee supports the objectives of the Bill. I share with you a hope that the legislation will achieve its objectives and the result will be further development and growth of healthy, indigenous Canadian broadcasting and publishing industries.

In this regard, because of the great interest of you and your Committee in the objectives of the Bill, I would be pleased to meet with the Committee next session to provide a status report on the effect of the legislation on meeting our objectives in the periodicals and broadcasting industries.

As well, I would welcome from you and the Committee, and from other members of the Senate, suggestions which from time to time you may wish to make with respect to Canada's cultural industries for which I have some responsibility.

With respect to the proposed legislation, I know we share a desire to make it the means by which the goals we hold in common may be achieved.

It has been my determination from the outset to produce a measure which will be fair and even-handed in its application. In this regard, I am well aware that the status of certain periodicals under the present section 19, subsection 4 of the Income Tax Act has been of concern to certain members of the Committee.

Certainly, arising out of application of the Act, should evidence be placed before me that would warrant consideration of remission of taxes under the Financial Administration Act on behalf of advertiser/tax payers in these publications, that information will be transmitted to my colleague, the Minister of National Revenue. I am sure, however you understand that within the terms of my Ministerial responsibility, I could not go beyond this commitment.

The recourse is open to any tax payer to place before the Minister of National Revenue evidence that would warrant consideration of a remission of taxes under the Financial Administration Act. As you know, under Section 17 of the Act, aggrieved tax payers may seek such remission from the Minister of National Revenue. Although the interpretation of the Act by the Treasury Board has been quite narrow, the recourse still remains available.

I have enjoyed meeting with your Committee and, despite certain differences of opinion which have occurred from time to time—a feature of Parliamentary democracy I want you to know how useful the Committee's work has been to me and my colleagues.

Yours very truly,

J. Hugh Faulkner



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 214

Thursday, 15th July, 1976

10.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bell,
Benidickson,
Bourget,
Cameron,
Carter,
Choquette,
Connolly
(Ottawa West),
Cottreau,

Denis,
Deschatelets,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Fournier
(Madawaska-
Restigouche),
Fournier
(Restigouche-
Gloucester),

Goldenberg,
Graham,
Greene,
Grosart,
Haig,
Hayden,
Hicks,
Lafond,
Laird,
Lang,
Langlois,
Lapointe,
Lawson,
Lefrançois,

Lucier,
Macdonald,
Macnaughton,
Manning,
McDonald,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,
Norrie,
Perrault,

Petten,
Phillips,
Riley,
Robichaud,
Smith (Colchester),
Smith (Queens-
Shelburne),
Sparrow,
Stanbury,
van Roggen,
Walker,
Williams,
Yuzyk.

PRAYERS.

The Honourable Senator Perrault, P.C., laid on the Table the following:—

Report on the administration of the *Canada Student Loans Act* for the loan year ended June 30, 1975, pursuant to section 18 of the said Act, Chapter S-17, R.S.C., 1970.

Report of Canadian Patents and Development Limited for the fiscal year ended March 31, 1976, including its accounts and financial statements certified by the Auditor General, pursuant to sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

With leave of the Senate,

The Honourable Senator Langlois moved, seconded by the Honourable Senator Perrault, P.C.:

That when the Senate adjourns today, it do stand adjourned until tomorrow, Friday, 16th July, 1976, at ten o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Flynn, P.C.:

That if the debate on all stages of the Bill C-84, intituled: "An Act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences", is then concluded, any division or divisions required to finally dispose of the third reading and passage of the said Bill shall be taken tomorrow, Friday, 16th July, 1976, at approximately eleven o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Petten, for the second reading of the Bill C-84, intituled: "An Act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences".

After debate,

The Honourable Senator Deschatelets, P.C., moved, seconded by the Honourable Senator Hicks, that further debate on the motion be adjourned until later this day.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately three thirty o'clock p.m., it was—

Resolved in the affirmative.

12.30 p.m.

The sitting of the Senate was resumed.

3.45 p.m.

Pursuant to Order, the Senate resumed the debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Petten, for the second reading of the Bill C-84, intituled: "An Act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences".

After debate—

It being six o'clock, the Honourable the Speaker left the Chair to resume the same at eight o'clock.

8.15 p.m.

The Senate resumed the debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Petten, for the second reading of the Bill C-84, intituled: "An Act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences".

After debate,

The Honourable Senator Austin moved, seconded by the Honourable Senator Cottreau, that further debate on the motion be adjourned until the next sitting of the Senate.

The question being put on the motion, it was—
Resolved in the affirmative.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Forsey:

That the Senate affirms its full support of the *Official Languages Act*, including the right of air pilots to operate in the province of Quebec in either of the two official languages according to their choice, provided that the exercise of that right be compatible with air safety standards as certified from time to time under the authority of the *Aeronautics Act*.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Green Paper entitled: "Members of Parliament and Conflict of Interest",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the Public Service,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement

of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable Senator Perrault, P.C., moved seconded by the Honourable Senator Langlois,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



24 Elizabeth II
A.D. 1975
Canada

Journals of the Senate

No. 215

Friday, 16th July, 1976

10.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Argue,
Asselin,
Austin,
Barrow,
Basha,
Beaubien,
Bélisle,
Bell,
Benidickson,
Bourget,
Buckwold,
Cameron,
Carter,

Connolly
(Ottawa West),
Côté,
Cottreau,
Davey,
Denis,
Deschatelets,
Eudes,
Everett,
Flynn,
Forsey,
Fournier
(de Lanaudière),

Fournier
(Madawaska-
Restigouche),
Fournier
(Restigouche-
Gloucester),
Goldenberg,
Graham,
Greene,
Grosart,
Hicks,
Lafond,
Lamontagne,
Langlois,

Lapointe,
Lawson,
Lefrançois,
Macdonald,
Macnaughton,
Manning,
McElman,
McGrand,
McIlraith,
McNamara,
Michaud,
Molgat,
Molson,
Neiman,

Norrie,
Paterson,
Perrault,
Petten,
Phillips,
Riley,
Robichaud,
Smith
(Colchester),
Sparrow,
Stanbury,
van Roggen,
Williams,
Yuzyk.

PRAYERS.

Pursuant to the Order of the Day, the Senate resumed the debate on the motion of the Honourable Senator Lang, seconded by the Honourable Senator Petten, for the second reading of the Bill C-84, intituled: "An Act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences".

After debate, and—

The question being put on the motion,

The Senate divided and the names being called they were taken down as follows:—

YEAS

The Honourable Senators

Argue	Graham
Austin	Greene
Barrow	Lafond
Basha	Lamontagne
Buckwold	Macdonald
Cameron	Macnaughton
Carter	McElman
Connolly	McGrand
(Ottawa West)	McIlraith
Côté	McNamara
Cottreau	Michaud
Davey	Neiman
Deschatelets	Norrie
Flynn	Perrault
Forsey	Petten
Fournier	Stanbury
(Restigouche-	van Roggen
Gloucester)	Yuzyk—34.
Goldenberg	

NAYS

The Honourable Senators

Asselin	Grosart
Beaubien	Langlois
Bélisle	Lawson
Bell	Lefrançois
Bourget	Manning
Denis	Molson
Eudes	Paterson
Everett	Phillips
Fournier	Robichaud
(de Lanaudière)	Smith
Fournier	(Colchester)
(Madawaska-	Sparrow
Restigouche)	Williams—22.

So it was resolved in the affirmative.

The Bill was then read the second time, on division.

With leave of the Senate,

The Honourable Senator Perrault, P.C., moved, seconded by the Honourable Senator Langlois, that the Bill be read the third time now.

After debate, and—

The question being put on the motion, it was—

Resolved in the affirmative, on division.

The Bill was then read the third time and passed, on division.

Ordered, That a Message be sent to the House of Commons to acquaint that House that the Senate have passed this Bill without amendment.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE

OTTAWA

JULY 16, 1976

Madam,

I have the honour to inform you that His Excellency the Governor General, will proceed to the Senate Chamber to-day, the 16th day of July, at 12.00 noon for the purpose of giving Royal Assent to certain bills.

I have the honour to be,

Madam,

Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE,

Administrative Secretary to the Governor General.

The Honourable

The Speaker of the Senate,

Ottawa.

Ordered, That the communication do lie on the Table.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Argue, seconded by the Honourable Senator O'Leary, for the second reading of the Bill S-23, intituled: "An Act to amend the National Defence Act and the Criminal Code (total abolition of capital punishment)",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Lamontagne, P.C., seconded by the Honourable Senator Forsey:

That the Senate affirms its full support of the *Official Languages Act*, including the right of air pilots to operate in the province of Quebec in either of the two official languages according to their choice, provided that the exercise of that right be compatible with air safety standards as certified from time to time under the authority of the *Aeronautics Act*.

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Legal and Constitutional Affairs on the Green Paper entitled: "Members of Parliament and Conflict of Interest",

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the motion of the Honourable Senator Forsey, seconded by the Honourable Senator Norrie, that the subject-matter of the inquiry of the Honourable Senator Bonnell calling the attention of the Senate to the *British North America Act* as it pertains to transportation be referred to the Standing Senate Committee on Transport and Communications,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the action of the Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the Public Service,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called for the consideration of the Report of the Standing Senate Committee on Health, Welfare and Science on the feasibility of the appointment of a Special Senate Committee to inquire into and report upon crime and violence in contemporary Canadian society,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Perrault, P.C., calling the attention of the Senate to the Statement of Policy, Proposed Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the state of the working poor in Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Croll calling the attention of the Senate to the sums of money mentioned in the Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on March 30th, 1976,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Order of the Day being called to resume the debate on the inquiry of the Honourable Senator Forsey calling the attention of the Senate to the correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the Constitution of Canada,

It was—

Ordered, That it be postponed until the next sitting of the Senate.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to reassemble at the call of the bell at approximately eleven forty o'clock a.m., it was—

Resolved in the affirmative.

11.30 a.m.

The sitting of the Senate was resumed.

11.50 a.m.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of His Excellency the Governor General it was—

Resolved in the affirmative.

After awhile, His Excellency the Governor General, having come and being seated on the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the pleasure of His Excellency the Governor General that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Clerk Assistant then read the titles of the Bills to be assented to, as follows:—

An Act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences

An Act to amend the Income Tax Act

An Act to amend the Medical Care Act

An Act respecting citizenship

An Act to amend the Canadian Wheat Board Act (No. 2).

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

"In Her Majesty's name, His Excellency the Governor General doth assent to these Bills."

The Commons withdrew.

His Excellency the Governor General was pleased to retire.

The sitting of the Senate was resumed.

*With leave,
The Senate reverted to Notices of Motions.*

With leave of the Senate,
The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.:

That when the Senate adjourns today, it do stand adjourned until Tuesday, 12th October, 1976, at eleven o'clock in the forenoon.

The question being put on the motion, it was—
Resolved in the affirmative.

The Honourable Senator Langlois moved, seconded by the Honourable Senator Bourget, P.C.,

That the Senate do now adjourn.

The question being put on the motion, it was—
Resolved in the affirmative.



25 Elizabeth II
A.D. 1976
Canada

Journals of the Senate

No. 216

Tuesday 12th October, 1976

11.00 o'clock a.m.

The Honourable RENAUDE LAPOINTE, Speaker.

The Members convened were:

The Honourable Senators

Austin,
Barrow,
Beaubien,
Bélisle,
Benidickson,
Bonnell,
Bourget,
Cameron,
Carter,
Connolly
(Ottawa West),
Cook,

Côté,
Cottreau,
Croll,
Denis,
Desruisseaux,
Flynn,
Forsey,
Fournier
(de Lanaudière),
Godfrey,
Goldenberg,
Hastings,

Hayden,
Hicks,
Inman,
Lafond,
Laird,
Lamontagne,
Lang,
Langlois,
Lapointe,
Lefrançois,
Lucier,
Macdonald,

Manning,
McDonald,
McElman,
McIlraith,
McNamara,
Molgat,
Molson,
Neiman,
Norrie,
Perrault,
Petten,
Phillips,

Quart,
Robichaud,
Rowe,
Smith
(Colchester),
Smith
(Queens-Shelburne),
Sparrow,
Stanbury,
Thompson,
Williams,
Yuzyk.

PRAYERS.

The Honourable the Speaker informed the Senate that a communication had been received from the Administrative Secretary to the Governor General.

The communication was then read by the Honourable the Speaker as follows:—

GOVERNMENT HOUSE

OTTAWA

September 29, 1976

Madam,

I have the honour to inform you that the Right Honourable Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber at 11.00 a.m. on Tuesday, October 12th, for the purpose of proroguing the First Session of the Thirtieth Parliament of Canada.

I have the honour to be,
Madam,
Your obedient servant,

EDMOND JOLY DE LOTBINIÈRE
Administrative Secretary to the Governor General

The Honourable
The Speaker of the Senate,
Ottawa.

Ordered, That the communication do lie on the Table.

The Honourable Senator Langlois laid on the Table the following:—

Report of the Agricultural Products Board for the fiscal year ended March 31, 1976, pursuant to section 7 of the *Agricultural Products Board Act*, Chapter A-5, R.S.C., 1970.

Report of the Agricultural Stabilization Board for the fiscal year ended March 31, 1976, pursuant to section 14 of the *Agricultural Stabilization Act*, Chapter A-9, R.S.C., 1970.

Report of the Economic Council of Canada, including its financial statement certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to section 21(1) of the *Economic Council of Canada Act*, Chapter E-1, R.S.C., 1970.

Capital Budgets of Eldorado Nuclear Limited and Eldorado Aviation Limited for the year ending December 31, 1976, pursuant to section 70(2) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970, together with copies of Order in Council P.C. 1976-1986, dated August 5, 1976, approving same.

Copies of Orders in Council P.C. 1976-1910 and P.C. 1976-1912, dated July 27, 1976, amending Part II of the Schedule to the *Hazardous Products Act*, pursuant to section 8(3) of the said Act, Chapter H-3, R.S.C., 1970.

Report of the Auditor General on the examination of the accounts and financial statements of the National Battlefields Commission for the fiscal year ended March 31, 1976, pursuant to section 12 of *An Act respecting the National Battlefields at Quebec*, Chapter 57, Statutes of Canada, 1907-08, and sections 75(3) and 77(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Northern Canada Power Commission, including its accounts and financial statements certified by the Auditor General, for the fiscal year ended March 31, 1976, pursuant to section 24 of the *Northern Canada Power Commission Act*, Chapter N-21, and section 75(3) of the *Financial Administration Act*, Chapter F-10, R.S.C., 1970.

Report of the Department of Public Works for the fiscal year ended March 31, 1976, pursuant to section 34 of the *Public Works Act*, Chapter P-38, R.S.C., 1970.

Report on operations under the *Regional Development Incentives Act* for the months of March, April, May and June, 1976, pursuant to section 16 of the said Act, Chapter R-3, R.S.C., 1970.

Copy of Proceedings of the Royal Society of Canada, 1975, together with a copy of the 1975-76 Calendar and a copy of the Report of Council containing the financial statements of the Society for the year ended February 29, 1976, and the auditors' report thereon, pursuant to section 9 of *An Act to incorporate the Royal Society of Canada*, Chapter 46, Statutes of Canada, 1883.

Statement of expenditures and financial commitments made under the *Veterans' Land Act* for the fiscal year ended March 31, 1976, pursuant to section 49 of the said Act, Chapter V-4, R.S.C., 1970.

Report of the Atomic Energy Control Board of Canada for the fiscal year ended March 31, 1976, pursuant to section 20(1) of the *Atomic Energy Control Act*, Chapter A-19, R.S.C., 1970.

Report of operations under the *Canada Water Act* for the fiscal year ended March 31, 1976, pursuant to section 36 of the said Act, Chapter 5 (1st Supplement), R.S.C., 1970.

The Honourable the Speaker having put the question whether the Senate do now adjourn during pleasure to await the arrival of the Right Honourable the Deputy of His Excellency the Governor General, it was—

Resolved in the affirmative.

After awhile, the Right Honourable Bora Laskin, P.C., Chief Justice of the Supreme Court of Canada, in his capacity as Deputy of His Excellency the Governor General, having come and being seated at the foot of the Throne—

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that:—

"It is the desire of the Right Honourable the Deputy of His Excellency the Governor General, that they attend him immediately in the Senate Chamber."

The House of Commons being come,

The Right Honourable the Deputy of His Excellency the Governor General was pleased to close the First Session of the Thirtieth Parliament of Canada, with the following Speech:—

Honourable Members of the Senate:

Members of the House of Commons:

The First Session of the Thirtieth Parliament was opened on September 30, 1974. In the 744 days since the opening, the Senate has met 216 times and the House, 343 times. Both in terms of the amount of elapsed time and the number of sittings of each House, this has been, by far, the longest session in the history of the Parliament of Canada. In terms of public legislation, this has been our most productive session, although, if examined on a yearly basis, the pace of legislation has been at the rate that has come to be normally expected in the last two decades.

The principal direction of the legislation enacted during this session has been toward the reasonable development and the just and equitable sharing of the great riches of our land. In addition to several important fiscal measures that have been passed, Parliament has put into place a program to combat inflation so that Canadians may indeed reap the benefits of their own productivity. As part of this program the Government has imposed upon itself a policy of restraint in the growth of its own expenditures and Parliament, as part of this program, has enacted alterations to such statutes as the Medical Care Act and the Unemployment Insurance Act.

At the same time, Parliament has not been unmindful of the need for continuing growth of the economy and has amended the Export Development Act and created the Federal Business Development Bank. The orderly development of business will be assisted by the enactment of the Canada Business Corporations Act and healthy competition in the free market will be stimulated by the amendments to the Combines Investigation Act.

In both economic and social terms, housing has been of great concern during this session and you have twice amended the National Housing Act and related statutes.

Energy resources are central to the development of the nation. This has led to the enactment of the Petroleum Administration Act and to the creation of Petro Canada.

Agriculture has been of major concern to you during this session. You have enacted a measure to provide for two price wheat and you have passed the Agricultural Stabilization Act and the Western Grain Stabilization Act. You have made important amendments to the Farm Credit Act and to the Canadian Wheat Board Act as well as to several

other statutes of great importance to the farmers of this country.

Several measures have been enacted to strengthen our social security system. You have improved the benefits of the Canada Pension Plan and the Old Age Security Act. Amendments to the statute law with regard to superannuation have been enacted. The services of those who fought for our country have been remembered in amendments to the laws relating to veterans' and civilians' war allowances, veterans' and returned soldiers' insurance, and to the compensation for former prisoners of war.

The institutional framework of Government has been a significant concern in this session. Parliament has enacted statutes to create the office of Secretary to the Cabinet for Federal-Provincial Relations and to amend Federal-Provincial Fiscal Arrangements. Measures have been passed to protect the representation of all provinces in the House of Commons and to improve the representation of the northern territories in Parliament. You accepted your responsibilities by dealing with the financial arrangements for representatives of the Crown, for judges and for legislators. A number of measures relating to the structure of the courts were enacted, including important amendments to the Supreme Court Act. Committees of both Houses considered and made recommendations on the subject of members of Parliament and conflicts of interest. A special joint committee of both Houses considered and made recommendations on employer-employee relations in the public service. The Standing Joint Committee on Regulations and other Statutory Instruments has not only effectively taken up its responsibilities under the Statutory Instruments Act, but also has embarked on an important study of government policy on the release of information, the conclusions of which are eagerly anticipated. Both Houses have considered procedural reform and, while progress has been made, both are to be encouraged to continue the work in future sessions.

You have made several amendments to the criminal law, including the enactment of a permanent law with regard to the punishment for murder and certain other offences.

Several of the statutes enacted have been designed to protect the equality of men and women in the letter and administration of the law.

During this session, a new Citizenship Act was passed and a measure to regulate the import and export of articles of cultural value was enacted. The Canadian Radio-Television and Telecommunications Commission was created and a measure was enacted to assist the development of Canadian publications and broadcasting.

Almost all of the legislation that was forecast in the Speech from the Throne opening this session on September 30, 1974, has been enacted. This, however, constitutes merely half of the legislation that Parliament has adopted in the session. Parliament has indeed produced a remarkably great amount of legislation. Nonetheless, the demand for even more continues and Parliament has little time to spare in its effort to meet the needs of the nation.

Members of the House of Commons:

I thank you for the provisions you have made for the service of Canada during the present and the two previous fiscal years.

Honourable Members of the Senate:

Members of the House of Commons:

May Divine Providence continue to bless our country.

The Honourable the Speaker of the Senate then said:

"Honourable Members of the Senate:

Members of the House of Commons:

It is the will and pleasure of the Right Honourable the Deputy of His Excellency the Governor General that this Parliament be prorogued until two o'clock in the afternoon this day, Tuesday, the 12th day of October, 1976, to be here holden; and this Parliament is accordingly prorogued until two o'clock in the afternoon this day, Tuesday, the 12th day of October, 1976."

INDEX TO THE ONE HUNDRED AND TWENTY-FIRST VOLUME

23-24-25 Elizabeth II, A.D., 1974-75-76

ABBREVIATIONS

1st—Means read the first time.
2nd—Means read the second time.
3rd—Means read the third time.

A

Acts Passed During the Session:

PUBLIC ACTS

CHAP.		Bill No.
	ASSENTED TO OCTOBER 10, 1974	
1	West Coast Grain Handling Operations Act, 1974	C-12
	ASSENTED TO OCTOBER 30, 1974	
2	Appropriation Act No. 3, 1974	C-31
	ASSENTED TO NOVEMBER 27, 1974	
3	Army Benevolent Fund Act, An Act to amend the	C-17
4	Canada Pension Plan, An Act to amend the	C-22
5	Customs Act, An Act to amend the	S-4
6	Customs Tariff, An Act to amend the	C-27
7	Federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes, An Act to authorize	S-7
8	Statute Law (Veterans and Civilian War Allowances) Amendment Act, 1974	C-4
	ASSENTED TO DECEMBER 13, 1974	
9	Immigration Act, An Act to amend the	S-12
10	Electoral Boundaries Readjustment Act, An Act to amend the	C-214
11	Alberta-British Colombia Boundary Act, 1974	S-13

CHAP.		Bill No.
12	Fire Losses Replacement Account Act, An Act to amend the	C-18
ASSENTED TO DECEMBER 20, 1974		
13	Representation Act, 1974	C-36
14	Federal Business Development Bank Act	C-14
15	Indian Oil and Gas Act	C-15
16	Office of the Secretary to the Cabinet for Federal-Provincial Relations and respecting the Clerk of the Privy Council, An Act respecting the	C-38
17	Export Development Act, An Act to amend the	C-9
18	Supreme Court Act and to make related amendments to the Federal Court Act, An Act to amend the	S-2
19	Court of Queen's Bench of the Province of Quebec, An Act to revise references to the	S-16
20	Statute Revision Act	S-3
21	Appropriation Act No. 4, 1974	C-42
22	Appropriation Act No. 5, 1974	C-45
ASSENTED TO FEBRUARY 27, 1975		
23	Customs Tariff, (No. 2), An Act to amend the	C-39
24	Excise Tax Act and the Excise Act, An Act to amend the	C-40
25	Electoral Boundaries Readjustment Act, An Act to amend the	C-370
ASSENTED TO MARCH 13, 1975		
26	Statute law relating to income tax, An Act to amend the	C-49
27	Canadian Wheat Board Act, An Act to amend the	S-6
28	Northwest Territories Representation Act	C-51
29	Electoral Boundaries Readjustment Act, An Act respecting (Bruce- Grey)	C-228
30	Electoral Boundaries Readjustment Act, An Act respecting (Lafon- taine-Rosemont)	C-229
31	Electoral Boundaries Readjustment Act, An Act respecting (Berthier- Maskinongé)	C-365
ASSENTED TO MARCH 24, 1975		
32	West Coast Ports Operations Act, 1975	C-56
33	Canada Business Corporations Act	C-29
34	Prairie Grain Advance Payments Act, An Act to amend the	C-10
35	Beaver (<i>Castor canadensis</i>) as a symbol of the sovereignty of Canada, An Act to provide for the recognition of the	C-373
ASSENTED TO MARCH 25, 1975		
36	Appropriation Act No. 1, 1975	C-54
37	Appropriation Act No. 2, 1975	C-55

CHAP.		Bill No.
	ASSENTED TO MARCH 26, 1975	
38	National Housing Act, An Act to amend the	C-46
	ASSENTED TO APRIL 24, 1975	
39	St. Lawrence Ports Operations Act, 1975.....	C-59
40	Law Reform Commission Act, An Act to amend the	C-43
41	Railway Act, An Act to amend the	C-48
42	Civil Service Insurance Act, An Act to amend the.....	C-26
43	Proprietary or Patent Medicine Act and to amend the Trade Marks Act, An Act to repeal the	S-9
	ASSENTED TO MAY 8, 1975	
44	Senate and House of Commons Act, the Salaries Act and the Parlia- mentary Secretaries Act, An Act to amend the	C-44
45	Farm Credit Act, An Act to amend the	C-34
46	Fort-Falls Bridge Authority Act, An Act to amend the.....	C-367
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47	Petroleum Administration Act.....	C-32
48	Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island, An Act to amend the	C-47
49	Canadian Radio-television and Telecommunications Commission Act..	C-5
50	Cultural Property Export and Import Act	C-33
51	Northern Canada Power Commission Act, An Act to amend the.....	C-13
52	Territorial Lands Act, An Act to amend the.....	S-20
53	British North America Acts, 1867 to 1975, An Act to amend the	C-3
54	Two-Price Wheat Act	C-19
55	Ocean Dumping Control Act.....	C-37
56	Salaries Act, An Act to amend the	C-24
	ASSENTED TO JUNE 26, 1975	
57	Appropriation Act No. 3, 1975	C-64
58	Old Age Security Act, to repeal the Old Age Assistance Act and to amend other Acts in consequence thereof, An Act to amend the	C-62
59	Department of Industry, Trade and Commerce Act, An Act to amend the.....	S-15
60	Explosives Act, An Act to amend the	S-17
	ASSENTED TO JULY 30, 1975	
61	Petro-Canada Act.....	C-8
62	Excise Tax Act, An Act to amend the	C-66
63	Agricultural Stabilization Act, An Act to amend the	C-50
64	Prairie Grain Advance Payments Act, No. 2, An Act to amend the.....	C-53
65	Federal-Provincial Fiscal Arrangements Act, 1972, An Act to amend the.....	C-57

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67	Public Service Staff Relations Act, An Act to amend the	C-70
68	Olympic (1976) Act, An Act to amend the	C-63
69	Privileges and Immunities (International Organizations) Act, An Act to amend the	S-25
70	Customs Tariff, (No. 3), An Act to amend the	C-67

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71	Statute law relating to income tax, (No. 2), An Act to amend the	C-65
72	Environmental Contaminants Act	C-25
73	Lieutenant Governors Superannuation Act	C-23

ASSENTED TO DECEMBER 15, 1975

74	Appropriation Act No. 4, 1975	C-79
75	Anti-Inflation Act	C-73
76	Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code, An Act to amend the	C-2
77	Teleglobe Canada Act	S-27
78	King George V Cancer Fund Winding-up Act	C-76

ASSENTED TO DECEMBER 20, 1975

79	Supplementary Borrowing Authority Act, 1975	C-80
80	Unemployment Insurance Act, 1971, An Act to amend the	C-69
81	Statute Law (Superannuation) Amendment Act, 1975	C-52
82	National Housing Act and the Central Mortgage and Housing Corpo- ration Act, An Act to amend the	C-77
83	Government Annuities Improvement Act	C-75
84	Regional Development Incentives Act, An Act to amend the	C-74
85	Agricultural Products Cooperative Marketing Act, An Act to amend the	C-21
86	Animal Disease and Protection Act	C-28

ASSENTED TO FEBRUARY 25, 1976

87	Western Grain Stabilization Act	C-41
88	Halifax Relief Commission Pension Continuation Act	C-78

ASSENTED TO MARCH 30, 1976

89	Appropriation Act No. 1, 1976	C-90
90	Appropriation Act No. 2, 1976	C-91
91	Temporary Immigration Security Act	C-85
92	Statute Law (Veterans and Returned Soldiers' Insurance) Amend- ment Act, 1976	C-86
93	Criminal Law Amendment Act, 1975	C-71
94	Feeds Act, An Act to amend the	S-10

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95	Compensation for Former Prisoners of War Act.....	C-92
96	Motor Vehicle Tire Safety Act	S-8
97	Quarantine Act, An Act to amend the	S-31
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98	Anti-Inflation Act, An Act to amend the.....	C-89
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99	Senate and House of Commons Act and the Supplementary Retirement Benefits Act with respect to the escalation of certain payments thereunder, An Act to amend the	C-81
100	Aeronautics Act, An Act to amend the.....	S-34
101	Proprietary or Patent Medicine Act and to amend the Trade Marks Act, An Act to amend an Act to repeal the	S-35
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102	Appropriation Act No. 3, 1976	C-93
103	Appropriation Act No. 4, 1976	C-94
104	Canada and France, Canada and Belgium and Canada and Israel, An Act to implement conventions for the avoidance of double taxation with respect to income tax between.....	S-32
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105	Criminal Law Amendment Act (No. 2), 1976	C-84
106	Income Tax Act, An Act to amend the	C-58
107	Medical Care Act, An Act to amend the	C-68
108	Citizenship, An Act respecting	C-20
109	Canadian Wheat Board Act (No. 2), An Act to amend the.....	C-88
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110	British Columbia Telephone Company, An Act respecting	S-11
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111	International Air Transport Association, An Act respecting	S-18
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112	Royal Canadian Legion, An Act respecting The	S-28

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113	Exception from the general law relating to marriage in the case of Richard Fritz and Marianne Strass, An Act to provide an	C-1001
114	Canadian Commercial and Industrial Bank, An Act to incorporate the	S-24
115	Alliance Security & Investigation, Ltd., An Act respecting	S-26

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116	Northland Bank, An Act to incorporate the	C-1002
117	Eastern Canada Savings and Loan Company and Central & Nova Scotia Trust Company to amalgamate, An Act to enable	S-29

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118	United Grain Growers Limited, An Act respecting	S-33
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To—

Administrator of the Government of Canada, His Excellency the:

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*Laskin, P.C., Right Honourable Bora, Chief Justice of Canada.

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- Canadian Overseas Telecommunication Corporation Act, An Act to amend the—Bill S-27.
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Northland Bank, An Act to incorporate the—Bill C-1002.

2. Initiated in the Senate and passed by both Houses:

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British Columbia Telephone Company, An Act respecting—Bill S-11.

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National Commercial Bank of Canada, An Act to incorporate the—Bill S-24.

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Electoral Boundaries Readjustment Act, An Act respecting the—Bill C-229.

Electoral Boundaries Readjustment Act, An Act respecting the—Bill C-365.

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2. *Initiated in and passed by the House of Commons but not passed by the Senate:*

Criminal Code (the National Flag of Canada), An Act to amend the—Bill C-223.

3. *Initiated in the Senate and passed by both Houses:*

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Criminal Code (control of weapons and firearms), An Act to amend the—Bill S-14.

Senate (Intersessional Authority) Act (*Short Title*)—Bill S-22.

Total Abolition of Capital Punishment Act (*Short title*)—Bill S-23.

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Continental Bank of Canada, An Act to incorporate—Bill S-30.

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Aircraft Registry Act (*Short title*)—Bill S-5.(*Not proceeded with by the Senate*)Private—*Nil*

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Criminal Code (control of weapons and firearms), An Act to amend the—Bill S-14.

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(*See Index to particular Bill for details*)**Borrowing authority for public works and general purposes, An Act to provide supplementary:**Bill C-80—1st, and motion for 2nd *later this day* adopted, 680; 2nd and referred to National Finance, 681; reported without amendment and 3rd, 684. Royal Assent, 696. Chapter 79.**Boundary between the Provinces of Alberta and British Columbia, An Act respecting the:**

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Property Qualification Declaration, Takes, 3; 4; 502; 536; 566.

Return respecting renewed declarations, *tabled*, 84.

Supplementary Return authorized, 84; *tabled*, 170.

Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code, An Act to amend the:

Motion that Banking, Trade and Commerce be authorized to examine any such Bill in advance of its reaching the Senate, adopted, 44.

(First and Second Interim Reports on the advance study of this Bill printed as Appendixes to these Journals, pages 250-58; 444)

Bill C-2—1st, 503; 2nd debated and debate adjourned, 508; postponed, 512; 2nd and referred to Banking, Trade and Commerce, 517-18; reported without amendment but with certain observations, 628; 3rd, 640. Royal Assent, 672. Chapter 76.

(Committee report printed as an Appendix to these Journals, pages, 632-38)

Committees:

Agriculture: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 35; adopted, 41.

Motions respecting changes in membership of this Committee, adopted—

The Honourable Senator McDonald for the Honourable Senator Benidickson, 294.

The Honourable Senator Greene added, 402.

The Honourable Senator Macdonald for the Honourable Senator Welch, 406.

Motion that this Committee be empowered, without special reference by the Senate, to examine any aspect of the agricultural industry in Canada, to engage necessary staff and to sit during adjournments of the Senate, adopted, 68.

Motion that this Committee be authorized to examine and report upon the subject-matter of Bill C-41, *Western Grain Stabilization Act*, in advance of the said Bill coming before the Senate, adopted, 642-43.

Motion that this Committee be authorized to publish and distribute its report on Kent County, New Brunswick, as soon as it becomes available, even though the Senate may not then be sitting, adopted, 949-50.

Motions that this Committee have power to sit while the Senate is sitting, and that Rule 76(4) be suspended in relation thereto, adopted—

Today, 402; 681.

Tomorrow, 86; 410; 466.

Report on Crop Insurance presented, 473; consideration postponed, 481; 485; 488; 492; 495; 498; 505; 509; 512; 518; 520; 529; 533; 538; 544; 568; 571; 574; 578; 583; 587; 590; 592; motion for adoption of report, debated and debate adjourned, 595; postponed, 599; 602; 608; 611; 619; 631; 642; debated and adopted, 674.

(Printed as an Appendix to these Journals, pages 475-77)

Report, pursuant to Rule 84, tabled, 58.

Report tabled approving the budget of this Committee.

(See Committees—Internal Economy, Budgets and Administration)

Banking, Trade and Commerce: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 35; adopted, 41.

Motions respecting changes in membership of this Committee, adopted—

The Honourable Senator Barrow for the Honourable Senator Smith (*Queens-Shelburne*), 96.

The Honourable Senator Everett added, 100.

The Honourable Senator Macdonald for the Honourable Senator Blois, 219.

Committees:—Continued**Banking, Trade and Commerce: (Standing)—Continued**

Motions respecting changes in membership of this Committee, adopted—*Concluded*

The Honourable Senator Smith (*Colchester*) for the Honourable Senator Macdonald, 607.

The Honourable Senators Austin and Lafond added, 778.

The Honourable Senator Manning for the Honourable Senator Everett, 816.

Motions and Reports relating to—

Anti-Inflation—

Motion that this Committee be authorized to examine and report upon the subject-matter of Bill C-73, *Anti-Inflation Act*, in advance of the said Bill coming before the Senate, and that the Committee have power to engage staff, debated and adopted, 575.

(*Report on Bill C-73, Anti-Inflation Act, pages 628-29*)

Bankruptcy—

Motion that this Committee be authorized to examine and report upon the subject-matter of Bill C-60, *Bankruptcy Act*, 1975, in advance of the said Bill coming before the Senate, and that the Committee have power to engage staff, debated and adopted, 354.

Report on the advance study of subject-matter of Bill C-60, *Bankruptcy Act*, 1975, tabled, 640.

(*Printed as an Appendix to these Journals, pages 644-69*)

Competition Policy—

Motion that this Committee be authorized to examine and report upon any bill relating to competition in Canada or to the *Combines Investigation Act* in advance of the said Bill coming before the Senate, that the Committee have power to engage necessary staff for this examination and that papers and evidence received in the preceding session be referred to the Committee, adopted, 44.

Interim Report on Competition Policy, tabled, 246.

(*Printed as an Appendix to these Journals, pages 250-58*)

Second Interim Report on Competition Policy, tabled, 440.

(*Printed as an Appendix to these Journals, page 444*)

(*Report on Bill C-2, An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code. Printed as an Appendix to these Journals, pages 632-38*)

Report, pursuant to Rule 84, respecting any bill relating to competition in Canada or to the *Combines Investigation Act*, tabled, 59.

Income Tax—

Motion that this Committee be authorized to examine and consider any bill based on the Budget Resolutions relating to income tax in advance of any such bill coming before the Senate, and that the Committee have power to engage necessary staff for this examination, debated and adopted, 105.

Textile problems, Canadian—

Motion that the subject-matter of the Inquiry respecting Canadian textile problems be referred to this Committee, adopted, 380.

First Report on subject-matter of aforesaid Inquiry, tabled, 828.

(*Printed as an Appendix to these Journals, pages 830-31*)

Committees:—Continued**Banking, Trade and Commerce: (Standing)—Concluded**

Motion that this Committee be empowered to engage necessary staff for the purposes of its examination of such legislation and other matters as may be referred to it, debated and adopted, 578.

Motion that this Committee have power to sit during adjournments of the Senate, debated and adopted, *on division*, 828.

Motions that this Committee have power to sit while the Senate is sitting, and that Rule 76(4) be suspended in relation thereto, adopted—

Today, 122; 136; 602; 640; 824; 952; 956; 966.

Tomorrow, 197; 206; 395; 406; 567; 574; 758; 893.

Monday next, 607.

Monday and Tuesday next, 910.

Tuesday and Wednesday next, 582.

Wednesday next, 184; 844; 856; 867; 900.

Reports *tabled* approving the budgets of this Committee.

(See Committees—Internal Economy, Budgets and Administration)

Clerestory of the Senate Chamber: (Special)—

Motion that this Committee be appointed to consider and report upon the question of the installation of stained glass windows in the clerestory of the Senate Chamber; that the Committee have power to send for persons, papers and records, to examine witnesses, to print papers and evidence and to sit during adjournments of the Senate; naming 15 Honourable Senators to serve on this Committee, called but postponed, 105; debated and motion modified, by adding the name of the Honourable Senator Thompson, adopted, 174.

Motions respecting changes in membership of this Committee, adopted—

The Honourable Senator Inman added, 410.

The Honourable Senator Fournier (*Madawaska-Restigouche*) for the Honourable Senator Yuzyk, 517.

The Honourable Senator Deschatelets removed, 517.

Employer-Employee Relations in the Public Service: (Special Joint)—

Message from the House of Commons requesting the Senate to unite with the Commons in the appointment of a Special Joint Committee to consider and make recommendations upon Parts I, II and III of the paper entitled "Employer-Employee Relations in the Public Service of Canada", prepared by the Chairman of the Public Service Staff Relations Board, 58.

Motion that the Senate do unite with the Commons in the appointment of this Committee; that seven members of the Senate be designated to act on behalf of the Senate, that the Committee have power to send for persons, papers, etc., to delegate powers to sub-committees and to sit during sittings and adjournments of the Senate, adopted, and Message to the House of Commons accordingly, 63.

Message from the House of Commons, being list of the members of that House appointed to serve on this Committee, 85.

Motion appointing seven Senators to act on behalf of the Senate on this Committee, adopted, and Message to the House of Commons accordingly, 86.

Messages from the House of Commons respecting changes in membership of this Committee, 96; 116; 118; 132; 140; 144; 178; 184; 196; 202; 208; 216; 304; 352; 410; 418; 426; 472; 480; 484; 586; 598; 610; 640; 680; 688; 718; 726; 734; 750.

Committees:—Continued**Employer-Employee Relations in the Public Service: (Special Joint)—Concluded**

Motions respecting changes in Senate membership of this Committee, adopted, and Messages to the House of Commons accordingly—

The Honourable Senator Bélisle for the Honourable Senator Macdonald, 93.

The Honourable Senator Cottreau for the Honourable Senator Thompson, 136.

The Honourable Senator Quart for the Honourable Senator Asselin, 176.

The Honourable Senators Cook and Stanbury for the Honourable Senators Neiman and Riel, 202.

The Honourable Senator Phillips for the Honourable Senator Quart, 410.

The Honourable Senator Smith (*Queens-Shelburne*) for the Honourable Senator Cook, 640.

The Honourable Senator Cook for the Honourable Senator Smith (*Queens-Shelburne*), 700.

Messages from the House of Commons to acquaint the Senate that—

Bill C-70, *An Act to amend the Public Service Staff Relations Act*, has been referred to this Committee, 472.

Bill C-52, *Statute Law (Superannuation) Amendment Act, 1975*, has been referred to this Committee, 582; motion that the Senate concurs in the reference by the Commons of the said Bill to this Committee, debated and adopted, 582-83.

First Report—Recommending that its quorum be fixed at 11 members whenever a vote, resolution or other decision is taken and at 5 members otherwise, provided that both Houses are represented; and that the Committee have power to engage necessary staff, presented and adopted, 92.

Second Report—Presented only in House of Commons, November 26, 1974, as it applies to that House.

Third Report, *tabled*, 388.

(*Printed as an Appendix to these Journals, pages 390-91*)

Fourth Report, *tabled*, reporting Bill C-70, *An Act to amend the Public Service Staff Relations Act*, without amendment, 472.

Fifth Report, *tabled*, reporting Bill C-52, *Statute Law (Superannuation) Amendment Act, 1975*, with thirty amendments, 612.

Sixth Report, *tabled*, 734.

(*Printed as an Appendix to these Journals, pages 735-48*)

Reports *tabled* approving the budgets of this Committee.

(*See Committees—Internal Economy, Budgets and Administration*)

Foreign Affairs: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 34; adopted, 41.

Motions respecting changes in membership of this Committee, adopted—

The Honourable Senator Barrow added, 300.

The Honourable Senator Deschatelets removed, 517.

The Honourable Senator Smith (*Colchester*) for the Honourable Senator Asselin, 762.

The Honourable Senator Asselin for the Honourable Senator Smith (*Colchester*), 774.

Committees:—Continued**Foreign Affairs: (Standing)—Concluded**

Motion that this Committee be authorized to examine and report upon Canadian relations with the United States, to engage and reimburse personnel and to compensate witnesses; that papers and evidence received and taken on the said subject in the preceding session be referred to the Committee, and that the Committee have power to sit during adjournments of the Senate, debated and debate adjourned, 76; debated and adopted, 78.

Motion that this Committee be authorized to publish and distribute Volume I of its report on Canadian relations with the United States as soon as it is available even though the Senate may not then be sitting, debated and adopted, 684-85.

Report, Volume 1 on Canadian relations with the United States, *tabled*, and motion for consideration adopted, 700; debated, 714.

Motions that this Committee have power to sit while the Senate is sitting, and that Rule 76(4) be suspended in relation thereto, adopted—
Tomorrow, 278.

June 25, 1975, 414.

June 22, 1976, 910.

Report, pursuant to Rule 84, respecting Canadian relations with the United States, *tabled*, 67.

Reports *tabled* approving the budgets of this Committee.

(See Committees—Internal Economy, Budgets and Administration)

Health, Welfare and Science: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 35, adopted, 41.

Motions respecting changes in membership of this Committee, adopted—

The Honourable Senator Choquette for the Honourable Senator Bélisle, 92.

The Honourable Senator Phillips for the Honourable Senator Choquette, 414.

Motion in amendment, as amended, that the subject-matter of the Motion respecting crime and violence in contemporary Canadian society be referred to this Committee and that this Committee be instructed to look into and report upon the feasibility of a Senate Committee's inquiring into and reporting upon the subject-matter of the aforesaid Motion, adopted, 685.

Report on the feasibility of a Senate Committee's inquiring into and reporting upon the subject-matter of the aforesaid Motion presented and terms of reference for the appointment of a Special Committee of the Senate suggested, 920-21; motion for consideration adopted, 921; postponed, 927; 931-32; 936; 945; 949; 953; 956; 962; 967; 977; 981.

Immigration Policy: (Special Joint)—

Message from the House of Commons requesting the Senate to unite with the Commons in the appointment of a Special Joint Committee to consider the Green Paper on immigration policy and to invite the views of the public on the issues raised therein, 217.

(Green Paper *tabled in the Senate*, page 178)

Motion that the Senate do unite with the House of Commons in the appointment of this Committee, setting forth its terms of reference and its powers, adopted, and Message to the House of Commons accordingly, 222.

Committees:—Continued**Immigration Policy: (Special Joint)—Concluded**

Message from the House of Commons, being list of names of members of that House appointed to serve on this Committee, 235.

Motion naming eight Honourable Senators to serve on this Committee, and that the Committee have power to sit during sittings and adjournments of the Senate, adopted, and Message to the House of Commons accordingly, 240.

Messages from the House of Commons respecting changes in membership of this Committee, 246; 274; 284; 290; 294; 304; 308; 312; 324; 328; 336; 340; 344; 352; 364; 376; 388; 394; 402; 406; 410; 414; 418; 426; 432; 452; 460; 502; 503; 508; 514; 532; 540.

Motions respecting changes in Senate membership of this Committee, adopted, and Messages to the House of Commons accordingly—

The Honourable Senator Williams for the Honourable Senator Heath, 248.

The Honourable Senator Godfrey for the Honourable Senator Benidickson, 324.

The Honourable Senator Perrault for the Honourable Senator Fergusson, 372.

The Honourable Senator Rowe for the Honourable Senator Perrault, 388.

The Honourable Senator McElman for the Honourable Senator Rowe, 399.

The Honourable Senator Thompson for the Honourable Senator McElman, 402.

The Honourable Senator Prowse for the Honourable Senator Thompson, 414.

The Honourable Senators Bonnell and Norrie for the Honourable Senators Prowse and Williams, 428.

The Honourable Senator Benidickson for the Honourable Senator Bonnell, 464.

First Report—Recommending that the date of submission of its report be extended until October 31, 1975, presented, 395; debated and adopted, 399.

Second Report—Recommending that the date of submission of its report be extended until November 14, 1975, presented and adopted, 517.

Third Report tabled, 544.

(Printed as an Appendix to these Journals, pages 545-63)

Internal Economy, Budgets and Administration: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 34; adopted, 41.

Motions respecting changes in membership of this Committee, adopted—

The Honourable Senator Laird for the Honourable Senator Hayden, 67.

The Honourable Senator Deschatelets removed, 517.

The Honourable Senator Giguère added, 520.

Motion, in amendment, that the subject-matter of the motion respecting Senate Attendance Regulations be referred to this Committee, debated and adopted, *on division*, 369.

Report on the subject-matter of the motion respecting Senate Attendance Regulations presented, 727; motion for adoption of report, debated and debate adjourned, 730; postponed, 734; 750-51; 754; 756; 758-59; 763; 767; 771; debated; motion, in amendment, that the report be not now adopted, but that it be referred back to this Committee with certain instructions, debated and debate adjourned, 775; 779; postponed, 782; debated and debate adjourned, 786; postponed, 788; 798-99; 802-03; 807; 810; 814; 817; 820-21; 824-25; 829; 836; 841; 845; 849; 853; 857; 861; debated and resolved in the negative, *on division*, 864; main motion adopted, 864.

Committees:—Continued**Internal Economy, Budgets and Administration: (Standing)—Concluded**

Motion that this Committee be empowered, without special reference by the Senate, to consider any matter affecting the internal economy of the Senate and report thereon to the Senate, adopted, 44.

Motions that the Clerk's accounts for the fiscal years 1973-74, 1974-75 and 1975-76 be referred to this Committee, adopted, 66; 394; 886.

Reports *tabled*, approving the budgets of—

Agriculture respecting—

Agricultural industry in Canada, 126.

Banking, Trade and Commerce respecting—

Any bill relating to competition in Canada or to the *Combines Investigation Act*, 126.

Bill C-2, relating to the *Combines Investigation Act*, 606.

Bill C-65, relating to income tax, 606.

Budget Resolutions relating to income tax, 192.

Legislation and other matters referred to it, 866.

Subject-matter of Bill C-60, *Bankruptcy Act*, 1975, 372; 606; 726.

Subject-matter of Bill C-73, *Anti-Inflation Act*, 606.

Employer-Employee Relations in the Public Service, 192; 427; 676.

Foreign Affairs respecting—

Canadian relations with the United States, 126; 726.

Legal and Constitutional Affairs respecting—

Bill S-19, *An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code*, 312.

National Finance, 192; 312; 427; 528; 726; 866.

Regulations and other Statutory Instruments, 192-93; 312; 372; 606-07.

Science Policy respecting—

Commission on the Future, 126-27; 312-13; 426-27; 484.

Expenditures on scientific activities, 494; 866.

Schedule of authorized salary revisions for certain Senate positions, effective April 1, 1976, *tabled*, 930.

Schedule of class levels and rates of compensation of certain Senate positions, dated May 22, 1975, *tabled*, 372.

Legal and Constitutional Affairs: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 35; adopted, 41.

Motions respecting changes in membership of this Committee, adopted—

The Honourable Senator Sullivan for the Honourable Senator Choquette, 178.

The Honourable Senator Choquette for the Honourable Senator Sullivan, 219.

The Honourable Senator Smith (*Colchester*) for the Honourable Senator Quart, 517.

Motion that the Green Paper entitled "Members of Parliament and Conflict of Interest" be referred to this Committee, adopted, 300.

(*Green Paper tabled in the Senate, page 298*)

Report on the foregoing Green Paper presented, 934; motion for consideration adopted, 934; postponed, 956, 962; 966; 977; 981.

(*Printed as an Appendix to these Journals, pages 939-42*)

Committees:—Continued**Legal and Constitutional Affairs (Standing)—Concluded**

Motion that the Senate do approve the decision of this Committee to permit the televising of certain of its proceedings on an experimental basis only, debated and debate adjourned, *on division*, 186; 190; postponed, 198; debated; motion, in amendment, that the motion be not now adopted but that the wording thereof be amended, debated and adopted, *on division*, 200; main motion, as amended, adopted, 200.

Motion that this Committee be authorized to consider the question of financial compensation by the federal government for the maintenance, by the Provinces of Ontario and Quebec, of their own police forces, debated and debate adjourned, 369; debated and adopted, 373.

(See also Inquiries—Quebec Provincial Police Force)

Motion that this Committee be authorized to examine and report upon the subject-matter of Bill C-83, *Criminal Law Amendment Act (No. 1)*, 1976, in advance of the said Bill coming before the Senate, and that the Committee have power to engage staff, debated and adopted, 756.

Interim Report on the advance study of subject-matter of Bill C-83, *Criminal Law Amendment Act (No. 1)*, 1976, *tabled*, 866.

(Printed as an Appendix to these Journals, pages 868-69)

(See also Inquiries—Bill C-83)

Motion that this Committee be authorized to pay fees and travelling expenses of witnesses in connection with its examination of Bill S-19, *An Act to amend the Food and Drugs Act, the Narcotic Control Act and the Criminal Code*, debated and adopted, 193.

Motion that this Committee have power to sit during adjournments of the Senate, adopted, 291.

Motions that this Committee have power to sit while the Senate is sitting, and that Rule 76(4) be suspended in relation thereto, adopted—
Tomorrow, 278.

Tuesday next, 582; 910.

Wednesday next, 184; 200; 212.

Report entitled "Parole in Canada", *tabled*, 15.

Report, pursuant to Rule 84, respecting the parole system in Canada, *tabled*, 70.

Report *tabled* approving the budget of this Committee.

(See Committees—Internal Economy, Budgets and Administration)

Library of Parliament: (Joint Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 34; adopted, 41.

Message to the House of Commons, being list of names of the Honourable Senators appointed to serve on this Committee, 44.

Message from the House of Commons, being list of names of the members of that House appointed to serve on this Committee, 30.

Message from the House of Commons substituting the name of Mr. Fairweather for that of Mr. Jelinek, 308.

Motions respecting changes in Senate membership of this Committee, adopted, and Messages to the House of Commons accordingly—

The Honourable Senators Sullivan and Walker for the Honourable Senators Grosart and Yuzyk, 92-93.

The Honourable Senators Fournier (*Madawaska-Restigouche*) and Phillips for the Honourable Senators Macdonald and Quart, 428.

The Honourable Senator McIlraith removed, 592.

Committees:—Continued**National Capital Region: (Special Joint)—**

Message from the House of Commons requesting the Senate to unite with the Commons in the appointment of a Special Joint Committee to review and report upon matters bearing upon the development of the National Capital Region, including the programs and operations of the National Capital Commission, 432.

Motion that the Senate do unite with the House of Commons in the appointment of this Committee, setting forth its terms of reference and its powers, debated and adopted, and Message to the House of Commons accordingly, 441.

Motion naming eight Honourable Senators to serve on this Committee, adopted, and Message to the House of Commons accordingly, 442.

Message from the House of Commons being list of names of members of that House appointed to serve on this Committee, 460.

Messages from the House of Commons respecting changes in membership of this Committee, 472; 502; 673; 680; 778; 798; 816; 834; 916.

Motions respecting changes in Senate membership of this Committee, adopted, and Messages to the House of Commons accordingly—

The Honourable Senators Deschatelets and Lafond for the Honourable Senators Desruisseaux and Molgat, 468.

The Honourable Senator Quart for the Honourable Senator Macdonald, 473.

The Honourable Senator Robichaud for the Honourable Senator McElman, 494.

First Report—Recommending that its quorum be fixed at 11 members whenever a vote, resolution or other decision is taken and at 5 members otherwise, provided that both Houses are represented, presented, debated and adopted, 481.

Second Report—Recommending that this Committee be authorized to retain necessary staff during its consideration and review of matters bearing upon the development of the National Capital Region, presented, debated and adopted, 778.

National Finance: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 34; adopted, 41.

Motion that the name of the Honourable Senator Smith (*Colchester*) be added to the list of Senators serving on this Committee, adopted, 517.

Motion that this Committee be authorized to examine and report upon the Estimates for the fiscal year ending March 31, 1975, debated and adopted, 42.

Motion that this Committee be authorized to examine and report upon the Supplementary Estimates (A) for the fiscal year ending March 31, 1975, debated and adopted, 42.

Report on the foregoing Estimates and Supplementary Estimates (A) for the fiscal year ending March 31, 1975, presented and motion for consideration adopted, 52-53; consideration postponed, 60; report debated and adopted, 63.

Motion that this Committee be authorized to examine and report upon the Supplementary Estimates (B) for the fiscal year ending March 31, 1975, debated and adopted, 108.

Report on the foregoing Supplementary Estimates (B) presented, 127-28; adopted, 133.

Committees:—Continued**National Finance: (Standing)—Continued**

- Motion that this Committee be authorized to examine and report upon the Supplementary Estimates (C) for the fiscal year ending March 31, 1975, adopted, 157.
- Report on the foregoing Supplementary Estimates (C) *tabled* and read, 160.
- Motion that this Committee be authorized to examine and report upon the Supplementary Estimates (D) for the fiscal year ending March 31, 1975, adopted, 219.
- Report on the foregoing Supplementary Estimates (D) presented, 263-72; debated and adopted, 272.
- Motion that this Committee be authorized to examine and report upon the Estimates for the fiscal year ending March 31, 1976, in advance of bills based upon the said Estimates reaching the Senate, debated and adopted, 202.
- Report on the foregoing Estimates presented, 378-79; motion for adoption of report, debated and debate adjourned, 383-84; postponed, 389; 396; 399; 403; 407; debated and debate adjourned, 411; postponed, 415; 420; debated and adopted, 423.
- Motion that this Committee be authorized to examine and report upon the Supplementary Estimates (A) for the fiscal year ending March 31, 1976, adopted, 570.
- Report on the foregoing Supplementary Estimates (A) presented, and motion for consideration adopted, 618; consideration postponed, 631; report debated and adopted, 641.
- (Printed as an Appendix to these Journals, pages 620-25)*
- Motion that this Committee be authorized to examine and report upon the Supplementary Estimates (B) for the fiscal year ending March 31, 1976, adopted, 754.
- Report on the foregoing Supplementary Estimates (B) presented, and motion for consideration adopted, 788; motion for adoption of report, debated and debate adjourned, 798; debated and adopted, 802.
- (Printed as an Appendix to these Journals, pages 790-95)*
- Motion that this Committee be authorized to examine and report upon the Estimates for the fiscal year ending March 31, 1977, in advance of bills based upon the said Estimates reaching the Senate, adopted, 724.
- Report on the foregoing Estimates presented, and motion for consideration adopted, 886; motion for adoption of report, debated and debate adjourned, 893; 896; postponed, 900; 905; debated and adopted, 908.
- (Printed as an Appendix to these Journals, pages 888-90)*
- Motion that this Committee be authorized to examine and report upon the Supplementary Estimates (A) for the fiscal year ending March 31, 1977, adopted, 893.
- Report on the foregoing Supplementary Estimates (A) presented, and motion for consideration adopted, 911; motion for adoption of report, debated and debate adjourned, 917; 921; debated and adopted, 927.
- (Printed as an Appendix to these Journals, pages 912-13)*
- Motion that this Committee be authorized to examine in detail and report upon the Estimates of the Manpower Division of the Department of Manpower and Immigration for the fiscal year ending March 31, 1975, debated and debate adjourned, 148-49; debated and adopted, 153.

Committees:—Continued**National Finance: (Standing)—Concluded**

Motion that this Committee be authorized to publish and distribute its report on the Manpower Division of the Department of Manpower and Immigration when available, even though the Senate may not then be sitting, debated and adopted, 908.

Motion that this Committee be empowered to engage the services of such counsel and personnel as may be necessary, adopted, 129.

Motion that this Committee have power to sit during adjournments of the Senate, debated and adopted, *on division*, 828.

Motions that this Committee have power to sit while the Senate is sitting, and that Rule 76 (4) be suspended in relation thereto, adopted—

This afternoon, 262.

Wednesday next, 300; 313.

Wednesdays, May 28 and June 4, 1975, 379.

Reports *tabled* approving the budgets of this Committee.

(See Committees—Internal Economy, Budgets and Administration)

Orders and Customs of the Senate and Privileges of Parliament: (Committee of Privileges)—

Motion to appoint this Committee, adopted, 12.

Printing of Parliament: (Joint Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 34; adopted, 41.

Message to the House of Commons, being list of names of the Honourable Senators appointed to serve on this Committee, 44.

Message from the House of Commons, being list of names of the members of that House appointed to serve on this Committee, 30.

Motions respecting changes in Senate membership of this Committee, adopted, and Messages to the House of Commons accordingly—

The Honourable Senators Choquette, Haig and Walker for the Honourable Senators Asselin, O'Leary and Sullivan, 93.

The Honourable Senators Fournier (*Madawaska-Restigouche*) and Welch for the Honourable Senators Beaubien and Macdonald, 414.

The Honourable Senator Smith (*Colchester*) added, 532.

Regulations and other Statutory Instruments: (Joint Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 34; adopted, 41.

Message to the House of Commons, being list of names of the Honourable Senators appointed to serve on this Committee, 44.

Message from the House of Commons, being list of names of the members of that House appointed to serve on this Committee, 30.

Messages from House of Commons respecting changes in membership of this Committee, 66; 74; 76; 126; 132; 196; 540; 567; 680; 698; 712; 718; 834; 872; 892.

Motions respecting changes in Senate membership of this Committee, adopted, and Messages to the House of Commons accordingly—

The Honourable Senator Asselin for the Honourable Senator Flynn, 86.

The Honourable Senator Phillips for the Honourable Senator Walker, 410.

The Honourable Senator Yuzyk for the Honourable Senator Phillips, 607.

The Honourable Senator Riley for the Honourable Senator Robichaud, 714.

Committees:—Continued

Regulations and other Statutory Instruments: (Joint Standing)—*Concluded*

Messages from the House of Commons to acquaint the Senate that the—

Document entitled “Guidelines for Motions for the Production of Papers”, tabled in the Commons December 19, 1974, has been referred to this Committee, 165-66.

Subject-matter of Bill C-225, *Right to Information Act*, has been referred to this Committee, 166.

First Report—Recommending that its quorum be fixed at 7 members whenever a vote, resolution or other decision is taken and at 5 members otherwise, provided that both Houses are represented; that the Committee have power to engage necessary staff, to send for persons, papers and records, to examine witnesses, to report from time to time, to adjourn from place to place and to sit during sittings and adjournments of the Senate, presented, 62; adopted, 67.

Second Report—Presented only in House of Commons, October 29, 1974, as it applies to that House.

Third Report—Setting forth the criteria to be used by this Committee, presented, 80-81; consideration postponed, 86; 90; adopted, 93-94.

(*Revised French version of this Report printed as an Appendix to the French Journals after page 94*)

Fourth Report—Recommending that the French version of the Third Report of this Committee be replaced, presented, 119-20; debated and adopted, 122.

Fifth Report—Recommending that this Committee be authorized to hold meetings during the forthcoming summer recess when three members are present, provided both Houses are represented, presented, 433; consideration postponed until *later this day*, 441; postponed, 442; adopted, 442.

Sixth Report—Recommending that members of the Committee and necessary staff be authorized to travel to Washington, D.C., in connection with its study of certain matters referred to it, presented, 599; debated and adopted, 602.

Seventh Report—Recommending that the subject-matter of Bill C-225, *Right to Information Act*, be referred to this Committee again in the next Session of this Parliament, together with evidence adduced; and that consideration be given to extending the terms of reference of the Committee and to the advisability of the use of automatic data processing, *tabled*, 680.

Eighth Report—Recommending that one member of the Committee be authorized to travel to London, England, in connection with its study of certain matters referred to it, presented, debated and adopted, 828.

Ninth Report—Recommending that this Committee be authorized to hold meetings during the forthcoming summer recess when three members are present, provided both Houses are represented, presented, and motion for consideration adopted, 944; motion for adoption of report, debated and adopted, 949.

Report, pursuant to Rule 84, *tabled*, 62.

Reports *tabled* approving the budgets of this Committee.

(*See Committees—Internal Economy, Budgets and Administration*)

Restaurant of Parliament: (Joint Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 34; adopted, 41.

Message to the House of Commons, being list of names of the Honourable Senators appointed to serve on this Committee, 44.

Committees:—Continued**Restaurant of Parliament: (Joint Standing)—Concluded**

Message from the House of Commons, being list of names of the members of that House appointed to serve on this Committee, 30.

Messages from the House of Commons respecting changes in membership of this Committee, 40; 80; 174; 196; 340.

Motions respecting changes in Senate membership of this Committee, adopted, and Messages to the House of Commons accordingly—

The Honourable Senator Norrie added, 395.

The Honourable Senator Bélisle for the Honourable Senator O'Leary, 774.

Science Policy: (Special)—

Motion that this Committee be appointed to organize and hold a Conference for the purpose of establishing a Commission on the Future, that the Committee have power to engage personnel and to incur such expenses as may be necessary, and naming twenty-eight Senators to serve thereon, debated and adopted, 105.

Motions respecting changes in membership of this Committee, adopted—

The Honourable Senator Sullivan for the Honourable Senator Phillips, 105.

The Honourable Senator Sullivan removed, 176.

First Report—Presented, 452; consideration postponed, 461; 465; 470; motion for adoption of report, debated and debate adjourned, 474; postponed, 481; debated and debate adjourned, 485; postponed, 488; debated and adopted, 492.

(*Printed as an Appendix to these Journals, pages 454-57*)

Second Report—Recommending that its quorum be five members, presented and adopted, 537.

Report, pursuant to Rule 84, respecting a Commission on the Future, *tabled*, 58.

Reports *tabled* approving the budgets of this Committee.

(*See Committees—Internal Economy, Budgets and Administration*)

Selection:

Committee appointed under the provisions of Senate Rule 66, 12.

First Report—List of names of the Honourable Senators nominated by this Committee to serve on the several Standing Committees of the Senate, presented, 34-35; adopted, 41.

Standing Rules and Orders: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 34; adopted, 41.

Motion that the name of the Honourable Senator Beaubien be substituted for that of the Honourable Senator Asselin, adopted, 92.

Report recommending certain amendments to the Rules of the Senate, presented, 520; motion for consideration, debated and adopted, 520; motion for adoption of the report, debated and debate adjourned, 537; postponed, 568; 571; debated and debate adjourned, 574; postponed, 578; 583; 586; 590; debated and adopted, 592.

(*Printed as an Appendix to these Journals, pages 521-26*)

Motion that the foregoing amendments shall come into force on the first day of the Second Session of the Thirtieth Parliament, 611-12; motion modified by adding that the Rules of the Senate, as amended, be reprinted, giving details of the printing, 612; motion, as modified, adopted, 612.

Committees:—ConcludedStanding Rules and Orders: (Standing)—*Concluded*

Motion that the Order of the Senate that the foregoing amendments shall come into force on the first day of the Second Session of the Thirtieth Parliament be rescinded; and that the said amendments shall come into force on March 1, 1976, debated and adopted, 704.

Transport and Communications: (Standing)—

List of names of the Honourable Senators nominated by the Committee of Selection to serve on this Committee, 35; adopted, 41.

Motion that the name of the Honourable Senator Smith (*Colchester*) be added to the list of Senators serving on this Committee, adopted, 517.

Motion that this Committee be authorized to examine and report upon the program entitled "Les beaux dimanches", debated and adopted, 74.

Report on the foregoing program, *tabled*, 433; debated, 441.

(*Printed as an Appendix to these Journals, pages 435-37*)

Whole, Committee of the:

Medical Care Act, An Act to amend the—Bill C-68—Committed to a, 961; *In the Committee*, 961.

National Housing Act, An Act to amend the—Bill C-46—Committed to a, 288; *In the Committee*, 289-90.

National Housing Act and the Central Mortgage and Housing Corporation Act, An Act to amend the—Bill C-77—Committed to a, 689; *In the Committee*, 689-90.

Senate and House of Commons Act and the Supplementary Retirement Benefits Act with respect to the escalation of certain payments thereunder, An Act to amend the—Bill C-81—Motion that the Bill be committed to a, for consideration at the next sitting, debated and adopted, 900; Committed to a, 904; *In the Committee*, 904.

Unemployment Insurance Act, 1971, An Act to amend the—Bill C-69—Committed to a, 692; *In the Committee*, 692-95.

Commons, House of:

Bills—

Agrees to amendments made by the Senate to—

Canadian business corporations, An Act respecting—Bill C-29.

Criminal Law Amendment Act, 1975 (*Short title*)—Bill C-71.

Cultural Property Export and Import Act (*Short title*)—Bill C-33.

Northern Canada Power Commission Act, An Act to amend the—Bill C-13.

Petroleum Administration Act (*Short title*)—Bill C-32.

Statute Law (Status of Women) Amendment Act, 1974 (*Short title*)—Bill C-16.

Dropped by the Senate—*Nil*

Not passed by the Senate—

Criminal Code (the National Flag of Canada), An Act to amend the—Bill C-223.

(*Private Member's Public Bill*)

(*See Index to particular Bill for details*)

Commons, House of:—Concluded**Members—****Attendance in the Senate Chamber—****Parliament—**

Opening, 4-5; 6-11.

Prorogation, 984-86.

Royal Assent to Bills, 36-37; 71; 113; 145; 166-67; 213; 241-42; 280-81; 285-86; 291; 326; 350; 429; 443; 500; 598; 672; 696; 731; 807-08; 853; 879-80; 905-06; 937-38; 982.

Minister in Senate Chamber, pursuant to Rule 18, 289; 689; 692; 961.

Speaker—**Honourable James A. Jerome—**

Informs His Excellency the Administrator of his election as, 6.

Commonwealth Parliamentary Association:

(See Inquiries)

Compensation for Former Prisoners of War Act:

(See Compensation for former prisoners of war and their dependants... etc.)

Compensation for former prisoners of war and their dependants and to amend certain other statutes in consequence thereof, An Act to provide for:

Bill C-92—1st, 816; 2nd and 3rd, 824. Royal Assent, 853. Chapter 95.

Conflict of Interest, Members of Parliament and:

Motion that the Green Paper entitled, be referred to Legal and Constitutional Affairs, adopted, 300.

(See also Committees—Legal and Constitutional Affairs)

Constitution of Canada:

(See Inquiries)

Continental Bank of Canada, An Act to incorporate:

Petition, 508; read, 512; reported, 516.

Bill S-30—1st, 516; 2nd and referred to Banking, Trade and Commerce, 528; reported with fourteen amendments, 540-42; motion for adoption of report, debated, 567; motion, in amendment, that the report be not now adopted, but that it be referred back to Banking, Trade and Commerce for further consideration, debated and adopted, 567; report recommending adoption of the original report, presented, debated and adopted, 570; 3rd, 570.

Convention on the International Recognition of Rights in Aircraft, An Act to enable Canada to comply with a:

Bill S-5—1st, 18; 2nd postponed, 27; 30; 35; 41; 45; 49; postponed until *later this day*, 54; postponed, 55; 2nd and referred to Transport and Communications, 60; Committee report recommending that this Bill *be not proceeded with further in the Senate*, presented, 382; motion for adoption of the report, debated and debate adjourned, 382; debated and adopted, 388.

(See *Appendix to the Debates of the Senate of May 28, 1975 for correspondence with respect to this Bill*)

Corporations and Labour Unions Returns Act (Part I, Corporations and Part II, Labour Unions):

(See Inquiries)

Cottreau, Honourable Ernest George:

Certificate of Appointment to the Senate, 2; Introduction, Oath of Allegiance, Property Qualification Certificate, Writ of Summons, 3-4.

Council of Europe:

(See Inquiries)

Court of Queen's Bench of the Province of Quebec, An Act to revise references to the:

Bill S-16—1st, 85; 2nd postponed, 93; debated and debate adjourned, 97; postponed, 100-01; 2nd, 104; 3rd, 108. Passed by the Commons without amendment, 165. Royal Assent, 166. Chapter 19.

Crime and violence in contemporary Canadian society:

Motion that the Senate considers it desirable that a special committee of the Senate be established to inquire into and report upon, debated and debate adjourned, 356; postponed, 361; 365; debated and debate adjourned, 368; postponed, 373; 380; 384; 389; 396; 399; 403; 407-08; 411-12; 415; 420; 423; 429; 434; 441; 447; 450; 453; 461-62; 465; 470; 474; 481; 485; debated and debate adjourned, 489; postponed, 492; 495; 498; debated and debate adjourned, 505; postponed, 509; 512; 518; 520; 528-29; 533; 537; 544; 568; 571; 574; 578; 583; debated and debate adjourned, 586-87; postponed, 590; 592; 594; 599-600; 603; 608; 611; 619; 631; 642; 674; 677; debated, 682; motion, in amendment, that the motion be not now adopted but that the subject-matter thereof be referred to Health, Welfare and Science, debated and debate adjourned, 682; debated, 685; motion, in amendment, that the motion in amendment be amended by instructing this Committee to look into and report upon the feasibility of a Senate Committee's inquiring into and reporting upon the subject-matter of the aforesaid motion, debated and adopted, 685; motion in amendment, as amended, adopted, 685.

Criminal Code:

(See Combines Investigation Act and the . . . etc.)

(See Food and Drugs Act . . . etc.)

(See National Defence Act . . . etc.)

Criminal Code and to make related amendments to the Crown Liability Act, the Immigration Act and the Parole Act, An Act to amend the:

Bill C-71—1st, 698; 2nd debated and debate adjourned, 708; postponed, 712; debated and debate adjourned, 714; postponed, 716; debated and debate adjourned, 718; 2nd and referred to Legal and Constitutional Affairs, 722, reported with certain amendments, 762; report adopted, 766; motion for 3rd, as amended, debated, 770; motion in amendment that the Bill, as amended, be not now read the third time but that it be further amended, debated, 770; motion in amendment that the first-mentioned motion in amendment be not now adopted, but that the Bill, as amended, be referred back to Legal and Constitutional Affairs for further consideration, debated and resolved in the negative (*Yeas and Nays*), 770-71; first-mentioned motion in amendment resolved in the negative, *on division*, and debate adjourned on motion for 3rd, as amended, 771; debated, 774; motion in amendment that the bill, as amended, be not now read the third time but that it be further amended, debated and resolved in the negative, *on division*, 774; 3rd, as amended, 774. Senate amendments agreed to by the Commons, 806. Royal Assent, 808. Chapter 93.

Criminal Code (commutation of death sentence), An Act to amend the:

Bill S-21—1st, 160; 2nd postponed, 164; 171; 190; debated and debate adjourned, 193; postponed, 197; 200; debated and debate adjourned, 202; 206; 208; 212; 219-20; postponed, 222; 227; 231; 234; 238; 240; debated and debate adjourned, 244; postponed, 248; debated and debate adjourned, 262; postponed, 275; 279; 285; 288; 295; 298; 300; 308-09; 332; 338; 341; 345; 349; 353; 356; 361; debated, 364; motion, in amendment, that the Bill be not now read the second time but that the subject-matter thereof be referred to Legal and Constitutional Affairs, debated and debate adjourned, 364-65; postponed, 368; debated and debate adjourned, 380; 383; postponed, 388; 396; 398-99; 403; 407; 411; 415; 420; 423; 428-29; 434; 441; 447; 450; 453; 461; 465; 469; 474; 481; 485; 488; 492; 495; 498; 504; 509; 512; 592; 602; 607-08; 611; 618; 630; 641; 674; 676-77; 681; 700; 704; debated; Order discharged and Bill withdrawn, 708.

(*Private Member's Public Bill*)

Criminal Code (control of weapons and firearms), An Act to amend the:

Bill S-14—1st, 66; 2nd postponed, 74; 76; 78; 81; 86; 90; 93; 98; 101; 2nd and referred to Legal and Constitutional Affairs, 104.

(*Private Member's Public Bill*)

Criminal Code in relation to the punishment for murder and certain other serious offences, An Act to amend the:

Bill C-84—1st, 967; 2nd debated and debate adjourned, 967; motion that if debate on this Bill is concluded, any division required to dispose of third reading shall be taken tomorrow, Friday, 16th July, 1976, at approximately eleven o'clock in the forenoon, adopted, 976; motion for 2nd debated and debate adjourned until *later this day*, 976; debated and debate interrupted, 976; debated and debate adjourned, 976; motion for 2nd debated and resolved in the affirmative (*Yeas and Nays*), 980; 2nd, *on division*, 980; motion for 3rd debated and adopted, *on division*, 980; 3rd, *on division*, 980. Royal Assent, 982. Chapter 105.

Criminal Code (the National Flag of Canada), An Act to amend the:

Bill C-223—1st, 246; 2nd, 275; 3rd debated and debate adjourned, 279; postponed until *later this day*, 284; debated, 285; motion, in amendment, that the bill be not now read the third time but that it be referred to Legal and Constitutional Affairs, adopted, 285.

(*Private Member's Public Bill*)

Criminal Law Amendment Act, 1975:

(*See Criminal Code and to make related amendments...etc.*)

Criminal Law Amendment Act (No. 1), 1976:

(*See Committees—Legal and Constitutional Affairs*)

(*See Reports, Orders in Council and other Documents laid on the Table*)

Criminal Law Amendment Act (No. 2), 1976:

(*See Criminal Code in relation to the punishment for murder...etc.*)

Crown Liability Act:

(*See Criminal Code and to make related amendments...etc.*)

Crude oil and certain petroleum products, to provide compensation for certain petroleum costs and to regulate the price of Canadian crude oil and natural gas in interprovincial and export trade, An Act to impose a charge on the export of:

Bill C-32—1st, 336; 2nd debated and debate adjourned, 341; postponed, 344; 349; debated and debate adjourned, 353; 356; 360; 2nd and referred to Banking, Trade and Commerce, 364; reported with nine amendments, 382; motion for adoption of report, debated and debate adjourned, 383; debated and adopted, 388-89; 3rd, as amended, postponed, 395; motion, in amendment, that the Bill be not now read the third time but that it be further amended, debated and adopted, 398; 3rd, as amended, 398. Senate amendments agreed to by the Commons, 406. Royal Assent, 429. Chapter 47.

Cultural Property Export and Import Act:

(See Export from Canada of cultural property...etc.)

Customs Act, An Act to amend the:

Bill S-4—1st, 18; 2nd postponed, 27; 30; 35; 41; 45; debated and debate adjourned, 49; postponed until *later this day*, 53; postponed, 55; 2nd and referred to Banking, Trade and Commerce, 59-60; reported without amendment, 70; 3rd, 74. Passed by the Commons without amendment, 100. Royal Assent, 113. Chapter 5.

Customs Tariff, An Act to amend the:

Bill C-27—1st, 85; 2nd debated and debate adjourned, 93; 2nd and referred to Banking, Trade and Commerce, 97; reported without amendment, 100; 3rd, 104. Royal Assent, 113. Chapter 6.

Customs Tariff, (No 2), An Act to amend the:

Bill C-39—1st, 170; 2nd debated and debate adjourned, 176; 2nd and referred to Banking, Trade and Commerce, 178; reported without amendment, 182; 3rd debated and debate adjourned, 184; 3rd, 186. Royal Assent, 213. Chapter 23.

Customs Tariff, (No. 3), An Act to amend the:

Bill C-67—1st, and motion for 2nd *later this day* adopted, 468; 2nd debated and debate adjourned, 469; 2nd and 3rd, 473. Royal Assent, 500. Chapter 70.

D**Defence Services Pension Continuation Act:**

(See Public Service Superannuation Act, the Canadian . . . etc.)

de Grandpré, C.C., Honourable Louis-Philippe, Puisne Judge of the Supreme Court of Canada:

Deputy of His Excellency the Governor General—
Commission read and placed upon the Journals, 879-80.
Royal Assent to Bills, 880.

Department of Industry, Trade and Commerce Act, An Act to amend the:

Bill S-15—1st, 85; 2nd postponed, 93; debated and debate adjourned, 97; 100; postponed, 104; 2nd and referred to Banking, Trade and Commerce, 109; reported with two amendments, 127; report adopted, 133; 3rd debated and debate adjourned, 136; postponed, 140; 144; 3rd, 148. Passed by the Commons without amendment, 432. Royal Assent, 443. Chapter 59.

Dickson, Honourable Robert G.B., Puisne Judge of the Supreme Court of Canada:

Deputy of His Excellency the Governor General—
Commission read and placed upon the Journals, 280-81.
Royal Assent to Bills, 281; 350.

Diplomatic Service (Special) Superannuation Act:

(See Public Service Superannuation Act, the Canadian . . . etc.)

Divisions:

Bills, With respect to—

(See Bills, General data respecting)

Other than with respect to Bills—

On motion for adjournment, 828.

On motion, in amendment, that the subject-matter of the motion respecting Senate Attendance Regulations be referred to Internal Economy, Budgets and Administration, 369.

On motion, in amendment, that the Report of Internal Economy, Budgets and Administration on the subject-matter of the motion respecting Senate Attendance Regulations be not now adopted but that it be referred back to the Committee with certain instructions, resolved in the negative, 864.

On motion that debate be adjourned on motion that the Senate do approve the decision of Legal and Constitutional Affairs to permit the televising of certain of its proceedings, 186; 190; on motion, in amendment, that the wording of the motion respecting the televising of certain committee proceedings be amended, 200.

On motion to empower a Standing Senate Committee to sit during the adjournments of the Senate—Banking, Trade and Commerce. 828. National Finance, 828.

Documents laid on the Table:

(See Reports, Orders in Council and other Documents laid on the Table)

Dumping of wastes and other substances in the ocean, An Act to provide for the control of:

Bill C-37—1st, 394; 2nd postponed, 403; debated and debate adjourned, 407; 2nd and referred to Health, Welfare and Science, 410-11; reported without amendment and 3rd, 427. Royal Assent, 429. Chapter 55.

du Plessis, Esquire, Q.C., Raymond L.:

Appointment as Law Clerk and Parliamentary Counsel of the Senate, Motion debated and adopted, 828.

E**Eastern Canada Savings and Loan Company and Central & Nova Scotia Trust Company to amalgamate, An Act to enable The:**

Petition, 504; read, 508; reported, 508.

Bill S-29—1st, 508; 2nd and referred to Banking, Trade and Commerce, 517; reported with six amendments in the French text, 537; report adopted and 3rd, 543. Passed by the Commons without amendment, 688. Royal Assent, 696. Chapter 117.

Economic conditions in New Brunswick:

(See Inquiries)

Electoral Boundaries Readjustment Act:

(See Representation in the House of Commons . . . etc.)

Electoral Boundaries Readjustment Act, An Act respecting the:

Bill C-228—1st, 217; motion for 2nd debated and adopted, *on division*, 226; 2nd, *on division*, 226; 3rd, 230. Royal Assent, 241-42. Chapter 29.

(*Private Member's Public Bill*)

Electoral Boundaries Readjustment Act, An Act respecting the:

Bill C-229—1st, 217; motion for 2nd debated and adopted, *on division*, 226; 2nd, *on division*, 226; 3rd, 230. Royal Assent, 241-42. Chapter 30.

(*Private Member's Public Bill*)

Electoral Boundaries Readjustment Act, An Act respecting the:

Bill C-365—1st, 217; motion for 2nd debated and adopted, *on division*, 227; 2nd, *on division*, 227; 3rd, 230. Royal Assent, 241-42. Chapter 31.

(*Private Member's Public Bill*)

Electoral Boundaries Readjustment Act, An Act to amend the:

Bill C-214—1st, 118; 2nd postponed, 129; 133; 2nd, 137; 3rd, 140. Royal Assent, 145. Chapter 10.

(*Private Member's Public Bill*)

Electoral Boundaries Readjustment Act, An Act to amend the:

Bill C-370—1st, 186; 2nd debated and debate adjourned, 193; 2nd and referred to Legal and Constitutional Affairs, 197; reported without amendment, 202; 3rd, 206. Royal Assent, 213. Chapter 25.

(*Private Member's Public Bill*)

Emergency sittings of the Senate:

Motion respecting, debated and adopted, 120.

Employer-Employee Relations in the Public Service:

(See Committees)

Environmental Contaminants Act:

(See Human health and the environment from substances . . . etc.)

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(See Committees—National Finance)

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European Parliament:

(See Inquiries)

Exception from the general law relating to marriage in the case of Richard Fritz and Marianne Strass, An Act to provide an:

Petition, 464; read, 468; reported, 468.

Bill C-1001—1st, 2nd and referred to Legal and Constitutional Affairs, 480; motion that Rule 95 be suspended with respect to this bill, debated and adopted, 480; reported without amendment, 484; 3rd debated and debate adjourned, 488; 3rd, 492. Royal Assent, 500. Chapter 113.

Excise Act:

(See Excise Tax Act and the Excise Act, an Act to amend the)

Excise Tax Act, An Act to amend the:

Bill C-466—1st, and motion for 2nd *later this day* debated and adopted, 498; motion for 2nd debated and adopted, *on division*, 498; 2nd, *on division*, and referred to Banking, Trade and Commerce, 498; reported without amendment, 499; motion for 3rd debated and adopted, *on division*, 499; 3rd, *on division*, 499; Royal Assent, 500. Chapter 62.

Excise Tax Act and the Excise Act, An Act to amend the:

Bill C-40—1st, 174; 2nd postponed, 178; debated and debate adjourned, 182; postponed, 184; 186; 2nd and referred to Banking, Trade and Commerce, 190; reported without amendment but with certain observations, 208; 3rd, 208. Royal Assent, 213. Chapter 24.

Explosives Act, An Act to amend the:

Bill S-17—1st, 85; 2nd debated and debate adjourned, 93; 2nd and referred to Banking, Trade and Commerce, 97; reported without amendment, 100; 3rd, 104. Passed by the Commons without amendment, 432. Royal Assent, 443. Chapter 60.

Export Development Act, An Act to amend the:

Bill C-9—1st, 2nd and 3rd, 164-65. Royal Assent, 166. Chapter 17.

Export from Canada of cultural property and the import into Canada of cultural property illegally exported from foreign states, An Act respecting the:

Bill C-33—1st, 278; 2nd postponed, 288; debated and debate adjourned, 295; 298; postponed, 300; 304; 309; debated and debate adjourned, 313; postponed, 316; 2nd and referred to Health, Welfare and Science, 320; reported with eight amendments, 337; consideration of report postponed, 341; 344; 349; debated, 353; motion that report be amended, debated and adopted, 353; report, as amended, adopted, 353; 3rd, as amended, 356. Senate amendments agreed to by the Commons, 394. Royal Assent, 429. Chapter 50.

F

Farm Credit Act, An Act to amend the:

Bill C-34—1st, 304; 2nd debated and debate adjourned, 308; 313; 2nd and referred to Agriculture, 316; reported with one amendment and certain recommendations, 336; motion for adoption of report, debated and debate adjourned, 341; debated, 344; motion, in amendment, that the report be not now adopted but that it be amended, 344; point of order raised and debated, 344; Speaker's ruling on the acceptability of the motion in amendment, reserved, 344; motion in amendment ruled in order; debated and adopted, *on division*, 348; report, as amended, adopted, *on division*, 348; 3rd, 349. Royal Assent, 350. Chapter 45.
(*Motion in amendment cancelled amendment in report*)

Federal Business Development Bank Act:

(See Federal Business Development Bank, An Act to incorporate the)

Federal Business Development Bank, An Act to incorporate the:

Bill C-14—1st, 126; 2nd debated and debate adjourned, 133; postponed, 136; 141; 144; 148; 2nd and referred to Banking, Trade and Commerce, 153; reported without amendment, 156; 3rd, 161. Royal Assent, 166. Chapter 14.

Federal Court Act:

(See Supreme Court Act and to make . . . etc.)

Federal-Provincial Fiscal Arrangements Act, 1972, An Act to amend the:

Bill C-57—1st, 446; 2nd postponed, 452; debated and debate adjourned, 461; 2nd and referred to Banking, Trade and Commerce, 464-65; reported without amendment, 468; 3rd, 473. Royal Assent, 500. Chapter 65.

Federal trust companies and loan companies to increase the monetary limit of their borrowing power and to issue subordinated notes, An Act to authorize:

Bill S-7—1st, 26; 2nd, and motion for 3rd *later this day* adopted, 40; motion that the bill be not now read the third time but that it be referred to Banking, Trade and Commerce, adopted, 41-42; reported without amendment, 59; 3rd, 62-63. Passed by the Commons without amendment, 96. Royal Assent, 113. Chapter 7.

Feeds Act, An Act to amend the:

Bill S-10—1st, 27; 2nd postponed, 41; 45; debated and debate adjourned, 48-49; postponed until *later this day*, 53; debated and debate adjourned, 55; 2nd and referred to Agriculture, 59; reported with one amendment and with certain recommendations, 218-19; report adopted, 222; 3rd, 226. Passed by the Commons with three amendments, 594. Motion for concurrence in Commons amendments, debated and debate adjourned, 599; postponed, 602; 607; 610-11; 618; 630; 641; 673-74; debated, 676; motion, in amendment, that the amendments be not now concurred in but that they be referred to Agriculture, debated and adopted, 676; report recommending that the amendments be concurred in with the exception of the third amendment, to which the Committee proposes an amendment, presented, debated and debate adjourned until *later this day*, 684; debated and adopted, and Message to the House of Commons accordingly, 685-86. Message from Commons agreeing to the amendment made by the Senate to the amendments made by the Commons to this Bill, 806. Royal Assent, 808. Chapter 94.

(Report of the Minister of Justice respecting this Bill tabled, 294)

(Senate concurred in House of Commons amendments (three) except third amendment, which it amended, and House of Commons agreed)

Fergusson, P.C., Honourable Muriel McQueen:

Speeches delivered on the occasion of the unveiling of the portrait of, Speaker of the Senate in the 29th Parliament, ordered to be printed as an Appendix to the Debates of the Senate, 164.

(See Appendix to Debates of the Senate of December 20, 1974)

Fire Losses Replacement Account Act, An Act to amend the:

Bill C-18—1st, 118; 2nd debated and debate adjourned, 122; 2nd, 129; 3rd, 132. Royal Assent, 145. Chapter 12.

Food and Drugs Act, the Narcotic Control Act and the Criminal Code, An Act to amend the:

Bill S-19—1st, 108; 2nd debated and debate adjourned, 129; 132-33; 136; 140; postponed, 144; 148; debated and debate adjourned, 152; postponed, 156-57; debated and debate adjourned, 161; 2nd and referred to Legal and Constitutional Affairs, 164; reported with eight amendments, 377-78; motion for adoption of report, debated and debate adjourned, 383; debated, 396; motion, in amendment, that the report be not now adopted but that it be amended, debated and debate adjourned, 396; 398; debated and resolved in the negative (*Yeas and Nays*), 402-03; report debated and debate adjourned, 403; 407; debated and adopted, *on division*, 410; motion for 3rd, 419; motion, in amendment, that the Bill be not now read the third time but that it be amended, debated and debate adjourned, 419; debated and adopted, 422; 3rd debated, 422; motion, in amendment, that the motion for 3rd be amended by striking out the word "now" and by adding the words "this day six months", debated and resolved in the negative (*Yeas and Nays*), 422; motion for 3rd adopted, *on division*, 422; 3rd, *on division*, 422.

Fort-Falls Bridge Authority Act, An Act to amend the:

Bill C-367—1st, 304; 2nd postponed, 313; 316-17; 320; 325; 328; 332; debated and debate adjourned, 338; 2nd 340-41; 3rd, 344. Royal Assent, 350. Chapter 46.

(*Private Member's Public Bill*)

Free trade for Canada:

(*See Inquiries*)

Fritz, Richard:

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G**Government Annuities Improvement Act:**

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Governor General of Canada, His Excellency the:

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Beetz, Honourable Jean, Puisne Judge of the Supreme Court of Canada—

Commission read and placed upon the Journals, 731.

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de Grandpré, C.C., Honourable Louis-Philippe, Puisne Judge of the Supreme Court of Canada—

Commission read and placed upon the Journals, 879-80.

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Dickson, Honourable Robert G. B., Puisne Judge of the Supreme Court of Canada—

Commission read and placed upon the Journals, 280-81.

Royal Assent to Bills, 281; 350.

Judson, Honourable Wilfred, Puisne Judge of the Supreme Court of Canada—

Commission read and placed upon the Journals, 500.

Royal Assent to Bills, 500.

*Laskin, P.C., Right Honourable Bora, Chief Justice of Canada—

Prorogues Parliament with speech from the foot of the Throne, 984-86.

Royal Assent to Bills, 166-67; 213; 429; 598; 853.

*Spence, Honourable Wishart F., Puisne Judge of the Supreme Court of Canada—

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Honey Bear Brewing Corporation Limited, An Act respecting:

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Immigration Act:

(See Criminal Code and to make related amendments . . . etc.)

Immigration Act, An Act to amend the:

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Income Tax Act, An Act to amend the:

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Inflation:

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Bill C-91, intituled: "An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1977", given Royal Assent on 30th March, 1976—The sums of money mentioned in the (*Honourable Senator Croll*), debated and debate adjourned, 876; postponed, 879; 882; 884; 886; 893; 896; 900-01; 905; 908; 910; 917-18; 922; 927; 932; 937; 946; 949; 953; 957; 962; 967; 977; 981.

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Inquiries:—ContinuedAttention of the Senate called to—*Continued*

- Canadian economy, State of the (*Honourable Senator Lamontagne, P.C.*), debated and debate adjourned, 420; 423; postponed, 429; postponed until *later this day*, 434; debated and debate adjourned, 434; postponed, 441; 447; debated, 450.
- Christian Evangelical Centre of Canada, The action of the Department of National Revenue in the case of the (*Honourable Senator Forsey*), debated and debate adjourned, 894; postponed, 896; 900; 905; 908; 910; 917; 922; 927; 932; 937; 945; 949; 953; debated, 957.
- Commonwealth Parliamentary Association, Twenty-first General Conference of, held at New Delhi, India, October 26 to November 10, 1975 (*Honourable Senator Bonnell*), debated and debate adjourned, 603; postponed, 608; 611; 619; 631; 642; 674; 677; debated, 682.
- Constitution of Canada, Correspondence between the Prime Minister of Canada and the First Ministers of the provinces on the subject of the patriation of the (*Honourable Senator Forsey*), debated and debate adjourned, 849; postponed, 852; 856; 860; 864; 867; 872-73; 876; 879; 882; 884; 886; 894; 897; 901; 905; 908; 910-11; 918; 922; 927; 932; 937; 946; 949; 953; 957; 963; 967; 977; 981.
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- Corporations and Labour Unions Returns Act (Part I, Corporations) for the fiscal periods ended in 1973, *tabled in the Senate on 9th March 1976*, Report of the Minister of Industry, Trade and Commerce under the (*Honourable Senator Desruisseaux*), called but postponed, 789; 811; debated and inquiry modified, by striking out the period after "1976" and adding the following: "and the Report of the Minister of Industry, Trade and Commerce under the *Corporations and Labour Unions Returns Act* (Part II, Labour Unions) for the fiscal periods ended in 1973, *tabled in the Senate on 2nd December, 1975.*"; inquiry, as modified, debated and debate adjourned, 836-37; postponed, 840; 844; 848; 852; 856; debated, 860.
- Council of Europe, Twenty-seventh Session of the Parliamentary Assembly of the, held in Strasbourg, France, October 6-8, 1975 (*Honourable Senator Bourget, P.C.*), debated, 578.
- Economic conditions existing in the Province of New Brunswick, Certain (*Honourable Senator Michaud*), debated and debate adjourned, 714; postponed, 716; 719; 722; 724; 727; 730; 734; debated 751; reinstated, 751; postponed, 754; 756; 775; 779; 782; 786; 788; 799; 803; 807; 810; debated and debate adjourned, 814; 817; debated, 820.
- European Parliament, Visit of Canadian Parliamentarians to, November 12-14, 1974 (*Honourable Senator van Roggen*), debated and debate adjourned, 112; 116; debated, 120.
- Free trade as an economic consideration for Canada, Total (*Honourable Senator Desruisseaux*), debated and debate adjourned, 712; postponed, 714; 716; 719; 722; 724; 727-28; 730; 734; 751; 754; debated and debate adjourned, 756; postponed, 758; 763; 767; 771; 775; 779; 782-83; 786; 788-89; 799; 803; 807; 810; 814; 817; 821; 825; 829; debated, 836.
- Habitat: United Nations Conference on Human Settlements, Report of the Canadian National Committee on (*Honourable Senator Buckwold*), debated and debate adjourned, 799; postponed, 802; 807; 810; 814; 817; 820; 824; 829; 836; 841; 844; 848-49; 853; debated, 857.

Inquiries:—ContinuedAttention of the Senate called to—*Continued*

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International Women's Year (*Honourable Senator Quart*), debated and debate adjourned, 248-49; postponed, 263; 275; 279; 285; 288; 295; 305; 309; 314; 317; 321; 325; debated and debate adjourned, 329; postponed, 332; 338; 342; 345; debated and debate adjourned, 350; postponed, 353; 356; 361; 365; 368; 373; 380; 384; 389; 396; 399; 404; 408; 434; 441; 447; 450; 453; 461; 465; 470; 474; 481; 485; 488; 492; 495; 499; 505; 509; 518; 520; debated, 528.

Inter-Parliamentary Union—

Sixty-first Annual Conference of the, held at Tokyo, Japan, October 2-11, 1974 (*Honourable Senator Molgat*), debated and debate adjourned, 78; postponed, 81; debated, 86.

Spring Meetings held at Colombo, Sri Lanka, March 31-April 5, 1975, and to visit of Canadian Delegation to Pakistan (*Honourable Senator Rowe*), debated, 384.

Loto Canada, The proposed incorporation of (*Honourable Senator Forsey*), debated and debate adjourned, 884; 886; postponed, 893; debated; Order discharged and inquiry withdrawn, 896.

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Mexico—

Visit of Canadian Parliamentarians to, January 6-10, 1975 (*Honourable Senator Fergusson, P.C.*), debated and debate adjourned, 301; postponed, 305; 309; 314; 317; 320; 325; 328-29; 333; debated and debate adjourned, 338; postponed, 341; 345; 349; 353; 356; debated, 361.

Visit to Canada of a Parliamentary delegation from, February 3-11, 1976 (*Honourable Senator Flynn, P.C.*), debated, 771.

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North Atlantic Assembly—

Twentieth Annual Session of the, held at London, England, November 11-16, 1974 (*Honourable Senator McDonald*), debated and debate adjourned, 123; 130; postponed, 133; 137; 141; 144; 148; 153; 157; 161; debated, 164.

Twenty-first Annual Session of the, held in Copenhagen, Denmark, September 21-26, 1975 (*Honourable Senator McDonald*), called but postponed until later this day, 578; postponed, 578; debated and debate adjourned, 603; 608; postponed, 611; 618; 631; 642; 674; 677; 681; 685; 688; 692; 700; debated, 705.

Petroleum and Natural Gas Act and New Canada Oil and Gas Land Regulations, dated May 1976, tabled in the Senate on 20th May, 1976, Statement of Policy, Proposed (*Honourable Senator Perrault, P.C.*), debated and debate adjourned, 887; 893; postponed, 896; 900; 905; 908; 910; 917; 922; 927; 932; 937; 945; 949; 953; 957; 962; 967; 977; 981.

Public Service, The action of the Treasury Board in relation to the reclassification of the economists, sociologists and statisticians in the (*Honourable Senator Forsey*), debated and debate adjourned, 946; postponed, 949; 953; 956; 962; 966-67; 977; 981.

Inquiries:—ContinuedAttention of the Senate called to—*Continued*

Quebec Provincial Police Force, Claim made by the Minister of Justice of the Province of Quebec for financial compensation from the federal government with respect to the, and to the ever-increasing costs of maintaining the various police forces in Canada (*Honourable Senator Deschatelets, P.C.*), debated and debate adjourned, 182; postponed, 184; 186-87; 190; 193; debated and debate adjourned, 198; postponed, 200; 202-203; debated and debate adjourned, 206; postponed, 209; 213; 220; 222-23; debated and debate adjourned, 227; postponed, 231; 234-35; 238; 240; 244; 248; 263; 275; 279; 285; 288; 295; 298; 300; 305; 309; 314; 317; 321; 325; 329; 333; 338; 342; 345; 350; 353; 356; 361; 365; 368-69; debated, 373.

(See also Committees—Legal and Constitutional Affairs)

Spruce budworm, Devastation of the forests of Eastern Canada and adjoining areas by the ravages of the (*Honourable Senator Burchill*), debated and debate adjourned, 450; 453; postponed, 461; 465; 470; debated, 474.

(Statement on the Spruce Budworm Problem prepared by the Department of the Environment printed as an Appendix to the Debates of the Senate of July 17, 1975)

Television and radio coverage of the proceedings of the Senate and of the public proceedings of all Senate Committees, Desirability of permitting complete (*Honourable Senator Greene, P.C.*), debated and debate adjourned, 538; postponed, 543; 568; 571; 574; 578; 583; 586; 590; 592; 595; debated and debate adjourned, 600; 602; 608; postponed, 611; 619; 631; 642; 674; 677; 682; 685; 688; 692; 700-01; 705; 709; 712; 714; 716; 750; 758; 763; 767; 771; 775; 820; 824; 829; 836; 840-41; 844; 848; 853; debated; Order discharged and inquiry withdrawn, 856-57.

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Transportation, The *British North America Act* as it pertains to (*Honourable Senator Bonnell*), debated and debate adjourned, 829; postponed, 836; debated and debate adjourned, 840; postponed, 844; 848; 852; 856; debated and debate adjourned, 860; 864; postponed, 867; 872; 876; 879; 882; 884; 886; 893-94; 896-97; debated and debate adjourned, 901; postponed, 905; debated and debate adjourned, 908; debated, and motion that the subject-matter of this inquiry be referred to Transport and Communications debated and debate adjourned, 910; postponed, 917; 921-22; 927; 932; 936; 945; debated and debate adjourned, 949; postponed, 953; 956; 962; 966; 977; 981.

White Paper entitled: "Attack on Inflation—a program of national action" (*Honourable Senator Perrault, P.C.*), debated and debate adjourned, 512; 518; 520; postponed, 528; debated and debate adjourned, 532-33; postponed, 537; debated and debate adjourned, 543-44; postponed, 567-68; debated and debate adjourned, 570-71; postponed, 574; 578; debated and debate adjourned, 583; 586; 590; postponed, 592; 594; 599; 603; debated, 608.

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Working poor in Canada, State of the (*Honourable Senator Croll*), called but postponed, 789; debated and debate adjourned, 817; postponed, 820; 824; 829; 836; 840; 844; 848; 852; 856; 860; 864; 867; 873; 876; 879; debated and debate adjourned, 882; postponed, 884; 886; 893; 896; 900; 905; 908; 910; 917; 922; 927; 932; 937; 945; 949; 953; 957; 962; 967; 977; 981.

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Motion authorizing certain Senators to act for and on behalf of the Senate, between sessions of Parliament or between Parliaments, in all matters relating to the, adopted in the 4th Session of the 28th Parliament, page 98, Journals of the Senate, 1972.

International Air Transport Association, An Act respecting:

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Employer-Employee Relations in the Public Service
Immigration Policy
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Library of Parliament
Printing of Parliament
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(See Committees)

Judges Act:

(See Public Service Superannuation Act, the Canadian . . . etc.)

Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island, An Act to amend the:

Bill C-47—1st, 394; 2nd postponed, 403; debated and debate adjourned, 407; 2nd and referred to Legal and Constitutional Affairs, 411; reported without amendment, 419; 3rd, 422. Royal Assent, 429. Chapter 48.

Judson, Honourable Wilfred, Puisne Judge of the Supreme Court of Canada:**Deputy of His Excellency the Governor General—**

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K**King George V Cancer Fund Winding-up Act:**

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King George V Silver Jubilee Cancer Fund for Canada and to authorize the sale of the assets and securities of the Fund and to transfer the sale proceeds and the balance of moneys to the National Cancer Institute of Canada, An Act to wind up The:

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M**Macdonald, P.C., Honourable W. Ross:**

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Royal Canadian Mounted Police Superannuation Act:

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Spruce budworm:

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Stabilization of net proceeds from the production and sale of western grain and to amend certain statutes in consequence thereof, An Act respecting the:

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Bill C-41—1st, 698; 2nd debated and debate adjourned, 704; postponed, 708; 2nd and referred to Agriculture, 712; reported without amendment, 716; 3rd, 718. Royal Assent, 731. Chapter 87.

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Banking, Trade and Commerce

Foreign Affairs

Health, Welfare and Science

Internal Economy, Budgets and Administration

Legal and Constitutional Affairs

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National Finance

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Regulations and other Statutory Instruments (Joint)

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United Grain Growers Limited, An Act respecting:

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Working poor in Canada, State of the:

(See Inquiries)



The Speaker

THE HONOURABLE RENAUDE LAPOINTE

The Leader of the Government

THE HONOURABLE RAYMOND J. PERRAULT, P.C.

The Leader of the Opposition

THE HONOURABLE JACQUES FLYNN, P.C.

THE MINISTRY

According to Precedence

At Prorogation, 12th October, 1976

The Right Honourable Pierre Elliott Trudeau, M.P.	Prime Minister
The Honourable Allan Joseph MacEachen, M.P.	President of the Queen's Privy Council for Canada
The Honourable Jean Chrétien, M.P.	Minister of Industry, Trade and Commerce
The Honourable Donald Stovel Macdonald, M.P.	Minister of Finance
The Honourable John Carr Munro, M.P.	Minister of Labour
The Honourable Stanley Ronald Basford, M.P.	Minister of Justice and Attorney General of Canada
The Honourable Donald Campbell Jamieson, M.P.	Secretary of State for External Affairs
The Honourable Robert Knight Andras, M.P.	President of the Treasury Board
The Honourable James Richardson, M.P.	Minister of National Defence
The Honourable Otto Emil Lang, M.P.	Minister of Transport
The Honourable Jean-Pierre Goyer, M.P.	Minister of Supply and Services
The Honourable Alastair William Gillespie, M.P. ..	Minister of Energy, Mines and Resources
The Honourable Eugene Francis Whelan, M.P.	Minister of Agriculture
The Honourable W. Warren Allmand, M.P.	Minister of Indian Affairs and Northern Development
The Honourable James Hugh Faulkner, M.P.	Minister of State for Science and Technology
The Honourable Daniel Joseph MacDonald, M.P. ..	Minister of Veterans Affairs
The Honourable Marc Lalonde, M.P.	Minister of National Health and Welfare
The Honourable Jeanne Sauvé, M.P.	Minister of Communications
The Honourable Raymond Joseph Perrault	Leader of the Government in the Senate
The Honourable Barnett Jerome Danson, M.P.	Minister of State for Urban Affairs
The Honourable J. Judd Buchanan, M.P.	Minister of Public Works
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The Honourable Marcel Lessard, M.P.	Minister of Regional Economic Expansion
The Honourable Jack Sydney George Cullen, M.P.	Minister of Manpower and Immigration
The Honourable Leonard Stephen Marchand, M.P.	Minister of State (Small Businesses)
The Honourable John Roberts, M.P.	Secretary of State of Canada
The Honourable Monique Bégin, M.P.	Minister of National Revenue
The Honourable Jean-Jacques Blais, M.P.	Postmaster General
The Honourable Francis Fox, M.P.	Solicitor General of Canada
The Honourable Anthony Chisholm Abbott, M.P. ..	Minister of Consumer and Corporate Affairs
The Honourable Iona Campagnolo, M.P.	Minister of State (Fitness and Amateur Sport)

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Secretary to the Cabinet for Federal-Provincial Relations.....	R. G. Robertson
Deputy Secretary to the Cabinet (Operations).....	de M. Marchand
Deputy Secretary to the Cabinet (Plans).....	W. R. Teschke
Deputy Secretary to the Cabinet for Federal-Provincial Relations	F. A. G. Carter
Assistant Clerk of the Privy Council (Orders-in-Council)	H. Chassé

SENATORS OF CANADA

ACCORDING TO SENIORITY

At Prorogation, 12th October, 1976

THE HONOURABLE RENAUDE LAPOINTE, SPEAKER

SENATORS	DESIGNATION	POST OFFICE ADDRESS
THE HONOURABLE		
Salter Adrian Hayden	Toronto	Toronto, Ont.
Norman McLeod Paterson	Thunder Bay	Thunder Bay, Ont.
George Percival Burchill	Northumberland-Miramichi	Nelson-Miramichi, N.B.
Michael G. Basha	West Coast	Curling, Nfld.
Sarto Fournier	de Lanaudière	Montreal, Que.
John J. Connolly, P.C.	Ottawa West	Ottawa, Ont.
Donald Cameron	Banff	Banff, Alta.
David A. Croll	Toronto-Spadina	Toronto, Ont.
Fred A. McGrand	Sunbury	Fredericton Junction, N.B.
Donald Smith	Queens-Shelburne	Liverpool, N.S.
Harold Connolly	Halifax North	Halifax, N.S.
Florence Elsie Inman	Murray Harbour	Montague, P.E.I.
Hartland de Montarville Molson	Alma	Montreal, Que.
J.-Eugène Lefrançois	Repentigny	Montreal, Que.
Joseph A. Sullivan	North York	Toronto, Ont.
Lionel Choquette	Ottawa-East	Ottawa, Ont.
Frederick Murray Blois	Colchester-Hants	Truro, N.S.
John Michael Macdonald	Cape Breton	North Sydney, N.S.
Josie Alice Dinan Quart	Victoria	Quebec, Que.
Louis Philippe Beaubien	Bedford	Montreal, Que.
J. Campbell Haig	River Heights	Winnipeg, Man.
Allister Grosart	Pickering	Toronto, Ont.
Edgar Fournier	Madawaska-Restigouche	Iroquois, N.B.
Jacques Flynn, P.C.	Rougemont	Quebec, Que.
David James Walker, P.C.	Toronto	Toronto, Ont.
Rhéal Bélisle	Sudbury	Sudbury, Ont.
Paul Yuzyk	Fort Garry	Winnipeg, Man.
Orville Howard Phillips	Prince	Alberton, P.E.I.
Maurice Bourget, P.C.	The Laurentides	Lévis, Que.

SENATORS	DESIGNATION	POST OFFICE ADDRESS
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Alexander Hamilton McDonald	Moosomin	Moosomin, Sask.
Earl Adam Hastings	Palliser-Foothills	Calgary, Alta.
Harry William Hays, P.C.	Calgary	Calgary, Alta.
Charles Robert McElman	Nashwaak Valley	Fredericton, N.B.
Douglas Keith Davey	York	Don Mills, Ont.
Jean-Paul Deschatelets, P.C.	Lauzon	Montreal, Que.
Hazen Robert Argue	Regina	Kayville, Sask.
Alan Aylesworth Macnaughton, P.C.	Sorel	Montreal, Que.
J. G. Léopold Langlois	Grandville	Quebec, Que.
Paul Desruisseaux	Wellington	Sherbrooke, Que.
Chesley William Carter	The Grand Banks	St. John's, Nfld.
James Duggan	Avalon	St. John's, Nfld.
Douglas Donald Everett	Fort Rouge	Winnipeg, Man.
Maurice Lamontagne, P.C.	Inkerman	Aylmer, Que.
Andrew Ernest Thompson	Dovercourt	Kendal, Ont.
Keith Laird	Windsor	Windsor, Ont.
Herbert Orville Sparrow	Saskatchewan	North Battleford, Sask.
Richard James Stanbury	York Centre	Toronto, Ont.
Hervé J. Michaud	Kent	Buctouche, N.B.
William John Petten	Bonavista	St. John's Nfld.
Raymond Eudes	de Lorimier	Montreal, Que.
Louis de Gonzague Giguère	de la Durantaye	Montreal, Que.
Ernest C. Manning, P.C.	Edmonton West	Edmonton, Alta.
Gildas L. Molgat	Ste. Rose	St. Vital, Man.
Eugene A. Forsey	Nepean	Ottawa, Ont.
William C. McNamara	Winnipeg	Winnipeg, Man.
Paul C. Lafond	Gulf	Hull, Que.
Ann Elizabeth Haddon Bell	Nanaimo-Malaspina	Nanaimo, B.C.
Edward M. Lawson	Vancouver	Vancouver, B.C.
H. Carl Goldenberg	Rigaud	Westmount, Que.
George Clifford van Roggen	Vancouver-Point Grey	Vancouver, B.C.
Sidney L. Buckwold	Saskatoon	Saskatoon, Sask.
Renaude Lapointe (<i>Speaker</i>)	Mille Isles	Montreal, Que.
Mark Lorne Bonnell	Murray River	Murray River, P.E.I.
Guy Williams	Richmond	Richmond, B.C.
Michel Fournier	Restigouche-Gloucester	Pointe Verte, N.B.
Frederick William Rowe	Lewisporte	St. John's, Nfld.
George James McIlraith, P.C.	Ottawa Valley	Ottawa, Ont.
Margaret Norrie	Colchester-Cumberland	Truro, N.S.
Henry D. Hicks	The Annapolis Valley	Halifax, N.S.
Bernard Alasdair Graham	The Highlands	Sydney, N.S.

SENATORS	DESIGNATION	POST OFFICE ADDRESS
Martial Asselin, P.C.....	Stadacona	La Malbaie, Que.
John James Greene, P.C.	Niagara.....	Niagara Falls, Ont.
Joseph Julien Jean-Pierre Côté, P.C.	Kennebec.....	Longueuil, Que.
Joan Neiman.....	Peel	Caledon East, Ont.
Raymond Joseph Perrault, P.C.	North Shore-Burnaby	Vancouver, B.C.
John Morrow Godfrey	Rosedale.....	Toronto, Ont.
Maurice Riel	Shawinigan	Westmount, Que.
Louis-J. Robichaud, P.C.....	L'Acadie-Acadia	Saint John, N.B.
Daniel Riley	Saint John.....	Saint John West, N.B.
Augustus Irvine Barrow	Halifax-Dartmouth.....	Halifax, N.S.
Ernest George Cottreau	South Western Nova.....	Yarmouth, N.S.
George Isaac Smith.....	Colchester	Truro, N.S.
Jacob Austin.....	Vancouver South.....	Vancouver, B.C.
Paul Henry Lucier	Yukon.....	Whitehorse, Y.T.

TABLE I		TABLE II	
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SENATORS OF CANADA

ALPHABETICAL LIST

At Prorogation, 12th October, 1976

SENATORS	DESIGNATION	POST OFFICE ADDRESS
THE HONOURABLE		
Argue, Hazen	Regina.....	Kayville, Sask.
Asselin, Martial, P.C.	Stadacona	La Malbaie, Que.
Austin, Jacob	Vancouver South.....	Vancouver, B.C.
Barrow, Augustus Irvine.....	Halifax-Dartmouth.....	Halifax, N.S.
Basha, Michael G.	West Coast	Curling, Nfld.
Beaubien, L. P.	Bedford	Montreal, Que.
Bélisle, Rhéal	Sudbury	Sudbury, Ont.
Bell, Ann Elizabeth Haddon.....	Nanaimo-Malaspina	Nanaimo, B.C.
Benidickson, W. M., P.C.	Kenora-Rainy River	Kenora, Ont.
Blois, Fred M.	Colchester-Hants	Truro, N.S.
Bonnell, M. Lorne	Murray River	Murray River, P.E.I.
Bourget, Maurice, P.C.....	The Laurentides	Lévis, Que.
Buckwold, Sidney L.	Saskatoon	Saskatoon, Sask.
Burchill, G. Percival.....	Northumberland-Miramichi.....	Nelson-Miramichi, N.B.
Cameron, Donald.....	Banff	Banff, Alta.
Carter, Chesley W.	The Grand Banks	St. John's, Nfld.
Choquette, Lionel	Ottawa East	Ottawa, Ont.
Connolly, Harold	Halifax North	Halifax, N.S.
Connolly, John J., P.C.	Ottawa West	Ottawa, Ont.
Cook, Eric	Harbour Grace	St. John's, Nfld.
Côté, Joseph Julien Jean- Pierre, P.C.	Kennebec	Longueuil, Que.
Cottreau, Ernest George	South Western Nova.....	Yarmouth, N.S.
Croll, David A.	Toronto-Spadina	Toronto, Ont.
Davey, Keith.....	York	Don Mills, Ont.
Denis, Azellus, P.C.....	La Salle	Montreal, Que.
Deschatelets, Jean-Paul, P.C.	Lauzon	Montreal, Que.
Desruisseaux, Paul	Wellington.....	Sherbrooke, Que.
Duggan, James	Avalon	St. John's, Nfld.
Eudes, Raymond	de Lorimier	Montreal, Que.
Everett, Douglas D.....	Fort Rouge.....	Winnipeg, Man.
Flynn, Jacques, P.C.....	Rougemont	Quebec, Que.
Forsey, Eugene A.	Nepean	Ottawa, Ont.

SENATORS	DESIGNATION	POST OFFICE ADDRESS
Fournier, Edgar	Madawaska-Restigouche.....	Iroquois, N.B.
Fournier, Michel	Restigouche-Gloucester.....	Pointe Verte, N.B.
Fournier, Sarto.....	de Lanaudière	Montreal, Que.
Giguère, Louis de G.....	de la Durantaye	Montreal, Que.
Godfrey, John Morrow	Rosedale.....	Toronto, Ont.
Goldenberg, H. Carl	Rigaud	Westmount, Que.
Graham, Bernard Alasdair	The Highlands	Sydney, N.S.
Greene, John James, P.C.	Niagara.....	Niagara Falls, Ont.
Grosart, Allister	Pickering.....	Toronto, Ont.
Haig, J. Campbell	River Heights	Winnipeg, Man.
Hastings, Earl A.	Palliser-Foothills.....	Calgary, Alta.
Hayden, Salter A.	Toronto.....	Toronto, Ont.
Hays, Harry, P.C.	Calgary.....	Calgary, Alta.
Hicks, Henry D.	The Annapolis Valley	Halifax, N.S.
Inman, F. Elsie.....	Murray Harbour	Montague, P.E.I.
Lafond, Paul C.	Gulf.....	Hull, Que.
Laird, Keith	Windsor	Windsor, Ont.
Lamontagne, Maurice, P.C.	Inkerman.....	Aylmer, Que.
Lang, Daniel A.	South York	Toronto, Ont.
Langlois, Léopold	Grandville.....	Quebec, Que.
Lapointe, Renaude (<i>Speaker</i>)	Mille Isles	Montreal, Que.
Lawson, Edward M.	Vancouver	Vancouver, B.C.
Lefrançois, J.-Eugène	Repentigny	Montreal, Que.
Lucier, Paul Henry.....	Yukon.....	Whitehorse, Y.T.
Macdonald, John M.	Cape Breton	North Sydney, N.S.
Macnaughton, Alan, P.C.	Sorel	Montreal, Que.
Manning, Ernest C., P.C.....	Edmonton West	Edmonton, Alta.
McDonald, A. Hamilton.....	Moosomin	Moosomin, Sask.
McElman, Charles.....	Nashwaak Valley	Fredericton, N.B.
McGrand, Fred A.	Sunbury	Fredericton Junction, N.B.
McIlraith, George J., P.C.....	Ottawa Valley	Ottawa, Ont.
McNamara, William C.	Winnipeg	Winnipeg, Man.
Michaud, Hervé J.	Kent	Buctouche, N.B.
Molgat, Gildas L.....	Ste. Rose.....	St. Vital, Man.
Molson, Hartland de M.	Alma	Montreal, Que.
Neiman, Joan	Peel	Caledon East, Ont.
Norrie, Margaret	Colchester-Cumberland	Truro, N.S.
Paterson, Norman McL	Thunder Bay.....	Thunder Bay, Ont.
Perrault, Raymond Joseph, P.C.	North Shore-Burnaby	Vancouver, B.C.
Petten, William J.	Bonavista.....	St. John's, Nfld.
Phillips, Orville H.	Prince	Alberton, P.E.I.
Quart, Josie D.	Victoria	Quebec, Que.
Riel, Maurice	Shawinigan	Westmount, Que.
Riley, Daniel	Saint John	Saint John West, N.B.
Robichaud, Louis-J., P.C.	L'Acadie-Acadia	Saint John, N.B.
Rowe, Frederick William	Lewisporte	St. John's, Nfld.
Smith, Donald	Queens-Shelburne.....	Liverpool, N.S.

SENATORS	DESIGNATION	POST OFFICE ADDRESS
Smith, George I.....	Colchester	Truro, N.S.
Sparrow, Herbert O.	Saskatchewan	North Battleford, Sask.
Stanbury, Richard J.	York Centre	Toronto, Ont.
Sullivan, Joseph A.	North York	Toronto, Ont.
Thompson, Andrew.....	Dovercourt	Kendal, Ont.
van Roggen, George C.....	Vancouver-Point Grey.....	Vancouver, B.C.
Walker, David, P.C.	Toronto.....	Toronto, Ont.
Williams, Guy	Richmond	Richmond, B.C.
Yuzyk, Paul	Fort Garry.....	Winnipeg, Man.



SENATORS OF CANADA

BY PROVINCES

At Prorogation, 12th October, 1976

ONTARIO—24

SENATORS	POST OFFICE ADDRESS
THE HONOURABLE	
1 Salter Adrian Hayden	Toronto.
2 Norman McLeod Paterson	Thunder Bay.
3 John J. Connolly, P.C.	Ottawa.
4 David A. Croll	Toronto.
5 Joseph A. Sullivan	Toronto.
6 Lionel Choquette	Ottawa.
7 Allister Grosart	Toronto.
8 David James Walker, P.C.	Toronto.
9 Rhéal Bélisle	Sudbury.
10 Daniel Aiken Lang	Toronto.
11 William Moore Benidickson, P.C.	Kenora.
12 Douglas Keith Davey	Don Mills.
13 Andrew Ernest Thompson	Kendal.
14 Keith Laird	Windsor.
15 Richard James Stanbury	Toronto.
16 Eugene A. Forsey	Ottawa.
17 George James McIlraith, P.C.	Ottawa.
18 John James Greene, P.C.	Niagara Falls.
19 Joan Neiman	Caledon East.
20 John Morrow Godfrey	Toronto.
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QUEBEC—24

SENATORS	ELECTORAL DIVISION	POST OFFICE ADDRESS
THE HONOURABLE		
1 Sarto Fournier	de Lanaudière	Montreal.
2 Hartland de Montarville Molson	Alma	Montreal.
3 J.-Eugène Lefrançois	Repentigny	Montreal.
4 Josie Alice Dinan Quart	Victoria	Quebec.
5 Louis Philippe Beaubien	Bedford	Montreal.
6 Jacques Flynn, P.C.	Rougemont	Quebec.
7 Maurice Bourget, P.C.	The Laurentides	Lévis.
8 Azellus Denis, P.C.	La Salle	Montreal.
9 Jean-Paul Deschatelets, P.C.	Lauzon	Montreal.
10 Alan Aylesworth Mac- naughton, P.C.	Sorel	Montreal.
11 J. G. Léopold Langlois	Grandville	Quebec.
12 Paul Desruisseaux	Wellington	Sherbrooke.
13 Maurice Lamontagne, P.C. ...	Inkerman	Aylmer.
14 Raymond Eudes	de Lorimier	Montreal.
15 Louis de Gonzague Giguère	de la Durantaye	Montreal.
16 Paul C. Lafond	Gulf	Hull.
17 H. Carl Goldenberg	Rigaud	Westmount.
18 Renaude Lapointe (Speaker)	Mille Isles	Montreal.
19 Martial Asselin, P.C.	Stadacona	La Malbaie.
20 Joseph Julien Jean-Pierre Côté, P.C.	Kennebec	Longueuil.
21 Maurice Riel	Shawinigan	Westmount.
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NOVA SCOTIA—10

SENATORS	POST OFFICE ADDRESS
THE HONOURABLE	
1 Donald Smith.....	Liverpool.
2 Harold Connolly	Halifax.
3 Frederick Murray Blois	Truro.
4 John Michael Macdonald	North Sydney.
5 Margaret Norrie	Truro.
6 Henry D. Hicks	Halifax.
7 Bernard Alisdair Graham	Sydney.
8 Augustus Irvine Barrow.....	Halifax.
9 Ernest George Cotteau	Yarmouth.
10 George Isaac Smith	Truro.

NEW BRUNSWICK—10

THE HONOURABLE	
1 George Percival Burchill	Nelson-Miramichi.
2 Fred A. McGrand	Fredericton Junction.
3 Edgar Fournier	Iroquois.
4 Charles Robert McElman	Fredericton.
5 Hervé J. Michaud	Buctouche.
6 Michel Fournier	Pointe Verte.
7 Louis-J. Robichaud, P.C.	Saint John.
8 Daniel Riley	Saint John West.
9
10

PRINCE EDWARD ISLAND—4

THE HONOURABLE	
1 Florence Elsie Inman	Montague.
2 Orville Howard Phillips	Alberton.
3 M. Lorne Bonnell	Murray River.
4

BRITISH COLUMBIA—6

SENATORS	POST OFFICE ADDRESS
THE HONOURABLE	
1 Ann Elizabeth Haddon Bell	Nanaimo.
2 Edward M. Lawson	Vancouver.
3 George C. van Roggen	Vancouver.
4 Guy Williams	Richmond.
5 Raymond Joseph Perrault, P.C.	Vancouver.
6 Jacob Austin	Vancouver.

MANITOBA—6

THE HONOURABLE	
1 J. Campbell Haig	Winnipeg.
2 Paul Yuzyk	Winnipeg.
3 Douglas Donald Everett	Winnipeg.
4 Gildas L. Molgat	St. Vital.
5 William C. McNamara	Winnipeg.
6

SASKATCHEWAN—6

THE HONOURABLE	
1 Alexander Hamilton McDonald	Moosomin.
2 Hazen Robert Argue	Kayville.
3 Herbert Orville Sparrow	North Battleford.
4 Sidney L. Buckwold	Saskatoon.
5
6

ALBERTA—6

SENATORS	POST OFFICE ADDRESS
THE HONOURABLE	
1 Donald Cameron	Banff.
2 Earl Adam Hastings	Calgary.
3 Harry William Hays, P.C.	Calgary.
4 Ernest C. Manning, P.C.	Edmonton.
5
6

NEWFOUNDLAND—6

THE HONOURABLE	
1 Michael G. Basha	Curling.
2 Eric Cook	St. John's.
3 Chesley William Carter	St. John's.
4 James Duggan	St. John's.
5 William John Petten	St. John's.
6 Frederick W. Rowe	St. John's.

YUKON TERRITORY—1

THE HONOURABLE	
1 Paul Henry Lucier	Whitehorse.

NORTHWEST TERRITORIES—1

THE HONOURABLE	
1



JOINT, STANDING, SPECIAL AND SPECIAL JOINT COMMITTEES OF THE SENATE

At Prorogation, 12th October, 1976

1st SESSION, 30th PARLIAMENT, 23-24-25 ELIZABETH II, 1974-75-76

JOINT COMMITTEE ON THE LIBRARY

The Honourable the Speaker, Chairman

SENATE

The Honourable the Speaker

The Honourable Senators

Bélisle
Bell
Cameron
Choquette
Côté
Forsey
Fournier (*deLanaudière*)
Fournier (*Madawaska-Restigouche*)

Hicks
Phillips
Riel
Rowe
Sullivan
Walker (14)

17 Senators

JOINT COMMITTEE ON PRINTING

SENATE

The Honourable Senators

Bell
Bonnell
Choquette
Duggan
Eudes
Fournier (*Madawaska-Restigouche*)
Fournier (*Restigouche-Gloucester*)
Greene

Haig
McGrand
Michaud
Neiman
Riley
Smith (*Colchester*)
Walker
Williams (16)

21 Senators

JOINT COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

The Honourable Eugene A. Forsey, Joint Chairman

SENATE

The Honourable Senators

Asselin
Cottreau
Forsey
Godfrey

Lafond
Riel
Riley
Yuzyk (8)

8 Senators

JOINT COMMITTEE ON THE RESTAURANT

The Honourable the Speaker, Chairman

SENATE

The Honourable the Speaker

The Honourable Senators

Bélisle
Carter
Forsey

Inman
Norrie
Quart (6)

The Speaker and 6 other Senators.

AGRICULTURE

The Honourable Hazen Argue, Chairman

The Honourable Senators

Argue
Blois
Côté
*Flynn
Fournier (*Restigouche-Gloucester*)
Greene
Haig
Hays
Inman
Lafond
Macdonald

McDonald
McElman
McGrand
McNamara
Michaud
Molgat
Norrie
*Perrault
Sparrow
Williams
Yuzyk (20)

20 Members

(Quorum 5)

*Ex officio member.

BANKING, TRADE AND COMMERCE
The Honourable Salter A. Hayden, Chairman
The Honourable Senators

Austin
Barrow
Beaubien
Buckwold
Connolly (*Ottawa West*)
Cook
Desruisseaux
*Flynn
Haig
Hayden
Hays

Lafond
Laird
Lang
Macnaughton
Manning
McIlraith
Molson
*Perrault
Smith (*Colchester*)
Sullivan
Walker (20)

20 Members

(Quorum 5)

**Ex officio* member.

FOREIGN AFFAIRS
The Honourable George C. van Roggen, Chairman
The Honourable Senators

Asselin
Barrow
Bélisle
Cameron
Carter
Connolly (*Ottawa West*)
Croll
*Flynn
Grosart
Hastings

Lafond
Laird
Macnaughton
McElman
McNamara
*Perrault
Rowe
Sparrow
van Roggen
Yuzyk (18)

20 Members

(Quorum 5)

**Ex officio* member.

HEALTH, WELFARE AND SCIENCE

The Honourable Chesley W. Carter, Chairman

The Honourable Senators

Argue
Blois
Bonnell
Bourget
Cameron
Carter
Croll
Denis

*Flynn
Fournier (*de Lanaudière*)
Goldenberg

Inman
Lamontagne
Langlois
Macdonald
McGrand
Neiman
Norrie
*Perrault
Phillips
Smith (*Queens-Shelburne*)
Sullivan (20)

20 Members

(Quorum 5)

*Ex officio member.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

The Honourable Keith Laird, Chairman

The Honourable Senators

Argue
Basha
Beaubien
Bélisle
Benidickson
Bourget
Buckwold
Davey
*Flynn
Giguère
Grosart

Laird
Langlois
Lapointe (*Speaker*)
Lefrançois
McDonald
McElman
Molson
*Perrault
Petten
Quart
Smith (*Queens-Shelburne*) (20)

20 Members

(Quorum 5)

*Ex officio member.

LEGAL AND CONSTITUTIONAL AFFAIRS
The Honourable H. Carl Goldenberg, Chairman
The Honourable Senators

Asselin
Buckwold
Choquette
Croll
*Flynn
Godfrey
Goldenberg
Hastings
Hayden
Laird

Lang
Langlois
McGrand
McIlraith
Neiman
*Perrault
Riel
Robichaud
Smith (*Colchester*)
Walker (18)

20 Members
(Quorum 5)
**Ex officio* member.

NATIONAL FINANCE
The Honourable Douglas D. Everett, Chairman
The Honourable Senators

Barrow
Benidickson
Carter
Côté
Croll
Desruisseaux
Everett
*Flynn
Giguère
Graham

Grosart
Hicks
Langlois
Manning
Neiman
*Perrault
Robichaud
Smith (*Colchester*)
Sparrow
Yuzyk (18)

20 Members
(Quorum 5)
**Ex officio* member.

STANDING RULES AND ORDERS

The Honourable Hartland de M. Molson, Chairman

The Honourable Senators

Argue
 Beaubien
 Bourget
 Choquette
 Connolly (*Ottawa West*)
 Cook
 Desruisseaux
 Everett
 *Flynn
 Forsey

Fournier (*de Lanaudière*)
 Grosart
 Lang
 Langlois
 Macdonald
 McElman
 Molgat
 Molson
 *Perrault
 Smith (*Queens-Shelburne*)
 Stanbury (19)

20 Members

(Quorum 5)

**Ex officio* member.

TRANSPORT AND COMMUNICATIONS

The Honourable J. Campbell Haig, Chairman

The Honourable Senators

Blois
 Bourget
 Burchill
 Davey
 Denis
 Eudes
 *Flynn
 Forsey
 Graham
 Haig

Langlois
 Lawson
 McElman
 Molgat
 *Perrault
 Petten
 Riley
 Smith (*Colchester*)
 Smith (*Queens-Shelburne*)
 Sparrow (18)

20 Members

(Quorum 5)

**Ex officio* member.

SPECIAL COMMITTEE ON SCIENCE POLICY
The Honourable Maurice Lamontagne, P.C., Chairman
The Honourable Senators

Asselin
Bélisle
Bell
Blois
Bonnell
Bourget
Buckwold
Cameron
Carter
Giguère
Godfrey
Goldenberg
Grosart
Haig

Hastings
Hicks
Lamontagne
Lang
Manning
Neiman
Riel
Robichaud
Rowe
Stanbury
Thompson
van Roggen
Yuzyk (27)

28 Members
(Quorum 5)

SPECIAL COMMITTEE ON THE CLERESTORY OF THE SENATE CHAMBER
The Honourable John J. Connolly, P.C., Chairman
The Honourable Senators

Beaubien
Cameron
Carter
Connolly (*Ottawa West*)
Forsey
Fournier (*Madawaska-Restigouche*)
Hicks

Inman
Lafond
Neiman
Quart
Sullivan
Thompson (13)

16 Members
(Quorum 5)

SPECIAL JOINT COMMITTEE ON
EMPLOYER-EMPLOYEE RELATIONS IN THE PUBLIC SERVICE

The Honourable Sidney L. Buckwold, Joint Chairman

SENATE

The Honourable Senators

Bélisle
Buckwold
Cook
Cottreau

Goldenberg
Phillips
Stanbury (7)

7 Senators

(Quorum 5 for meetings, 11 for a vote etc.)

SPECIAL JOINT COMMITTEE ON THE NATIONAL CAPITAL REGION

The Honourable Jean-Paul Deschatelets, P.C., Joint Chairman

SENATE

The Honourable Senators

Asselin
Barrow
Deschatelets
Lafond

McDonald
McIlraith
Quart
Robichaud (8)

8 Senators

(Quorum 5 for meetings, 11 for a vote etc.)

1st SESSION, 30th PARLIAMENT, 23-24-25 ELIZABETH II, 1974-75-76

LIST SHOWING DISTRIBUTION OF SENATORS
on
THE JOINT, STANDING, SPECIAL AND SPECIAL JOINT COMMITTEES
At Prorogation, 12th October, 1976

Argue, Honourable H.—Agriculture, Health, Internal, Rules and Orders.

Asselin, Honourable M.—Foreign Affairs, Legal and Constitutional, National Capital, Regulations, Science Policy.

Austin, Honourable J.—Banking.

Barrow, Honourable A. I.—Banking, Finance, Foreign Affairs, National Capital.

Basha, Honourable M. G.—Internal.

Beaubien, Honourable L. P.—Banking, Clerestory, Internal, Rules and Orders.

Bélisle, Honourable R.—Foreign Affairs, Internal, Library, Public Service, Restaurant, Science Policy.

Bell, Honourable A. E. H.—Library, Printing, Science Policy.

Benidickson, Honourable W. M.—Finance, Internal.

Blois, Honourable F. M.—Agriculture, Health, Science Policy, Transport.

Bonnell, Honourable M. L.—Health, Printing, Science Policy.

Bourget, Honourable M.—Health, Internal, Rules and Orders, Science Policy, Transport.

Buckwold, Honourable S. L.—Banking, Internal, Legal and Constitutional, Public Service, Science Policy.

Burchill, Honourable G. P.—Transport.

Cameron, Honourable D.—Clerestory, Foreign Affairs, Health, Library, Science Policy.

Carter, Honourable C. W.—Clerestory, Finance, Foreign Affairs, Health, Restaurant, Science Policy.

Choquette, Honourable L.—Legal and Constitutional, Library, Printing, Rules and Orders.

Connolly, Honourable J. J. (*Ottawa West*)—Banking, Clerestory, Foreign Affairs, Rules and Orders.

Cook, Honourable E.—Banking, Public Service, Rules and Orders.

Côté, Honourable J. P.—Agriculture, Finance, Library.

Cottreau, Honourable E. G.—Public Service, Regulations.

Croll, Honourable D.—Finance, Foreign Affairs, Health, Legal and Constitutional.

Davey, Honourable K.—Internal, Transport.

Denis, Honourable A.—Health, Transport.

Deschatelets, Honourable J.-P.—National Capital.

Desruisseaux, Honourable P.—Banking, Finance, Rules and Orders.

Duggan, Honourable J.—Printing.

Eudes, Honourable R.—Printing, Transport.

Everett, Honourable D. D.—Finance, Rules and Orders.

Flynn, Honourable J.—*Ex officio* member of all Standing Committees.

Forsey, Honourable E. A.—Clerestory, Library, Regulations, Restaurant, Rules and Orders, Transport.

Fournier, Honourable E. E. (*Madawaska-Restigouche*)—Clerestory, Printing, Library.

Fournier, Honourable M. (*Restigouche-Gloucester*)—Agriculture, Printing.

Fournier, Honourable S. (*de Lanaudière*)—Health, Library, Rules and Orders.

Giguère, Honourable L. de G.—Finance, Internal, Science Policy.

Godfrey, Honourable J. M.—Legal and Constitutional, Regulations, Science Policy.

Goldenberg, Honourable H. C.—Health, Legal and Constitutional, Public Service, Science Policy.

Graham, Honourable B. A.—Finance, Transport.

Greene, Honourable J. J.—Agriculture, Printing.

Grosart, Honourable A.—Finance, Foreign Affairs, Internal, Rules and Orders, Science Policy.

Haig, Honourable J. C.—Agriculture, Banking, Printing, Science Policy, Transport.
Hastings, Honourable E. A.—Foreign Affairs, Legal and Constitutional, Science Policy.
Hayden, Honourable S. A.—Banking, Legal and Constitutional.
Hays, Honourable H. W.—Agriculture, Banking.
Hicks, Honourable H. D.—Clerestory, Finance, Library, Science Policy.
Inman, Honourable F. E.—Agriculture, Clerestory, Health, Restaurant.
Lafond, Honourable P. C.—Agriculture, Banking, Clerestory, Foreign Affairs, National Capital, Regulations.
Laird, Honourable K.—Banking, Foreign Affairs, Internal, Legal and Constitutional.
Lamontagne, Honourable M.—Health, Science Policy.
Lang, Honourable D. A.—Banking, Legal and Constitutional, Rules and Orders, Science Policy.
Langlois, Honourable J. G. L.—Finance, Health, Internal, Legal and Constitutional, Rules and Orders, Transport.
Lapointe, Honourable R. (*Speaker*)—Internal, Library, Restaurant.
Lawson, Honourable E. M.—Transport.
Lefrançois, Honourable J. E.—Internal.
Macdonald, Honourable J. M.—Agriculture, Health, Rules and Orders.
Macnaughton, Honourable A. A.—Banking, Foreign Affairs.
Manning, Honourable E.—Banking, Finance, Science Policy.
McDonald, Honourable A. H.—Agriculture, Internal, National Capital.
McElman, Honourable C. R.—Agriculture, Foreign Affairs, Internal, Rules and Orders, Transport.
McGrand, Honourable F. A.—Agriculture, Health, Legal and Constitutional, Printing.
McIlraith, Honourable G. J.—Banking, Legal and Constitutional, National Capital.
McNamara, Honourable W. C.—Agriculture, Foreign Affairs.
Michaud, Honourable H. J.—Agriculture, Printing.
Molgat, Honourable G. L.—Agriculture, Rules and Orders, Transport.
Molson, Honourable H. de M.—Banking, Internal, Rules and Orders.
Neiman, Honourable J.—Clerestory, Finance, Health, Legal and Constitutional, Printing, Science Policy.
Norrie, Honourable M. F.—Agriculture, Health, Restaurant.
Perrault, Honourable R. J.—*Ex officio* member of all Standing Committees.
Petten, Honourable W. J.—Internal, Transport.
Phillips, Honourable O. H.—Health, Library, Public Service.
Quart, Honourable J. D.—Clerestory, Internal, National Capital, Restaurant.
Riel, Honourable M.—Legal and Constitutional, Library, Regulations, Science Policy.
Riley, Honourable D.—Printing, Regulations, Transport.
Robichaud, Honourable L.-J.—Finance, Legal and Constitutional, National Capital, Science Policy.
Rowe, Honourable F. W.—Foreign Affairs, Library, Science Policy.
Smith, Honourable D. (*Queens-Shelburne*)—Health, Internal, Rules and Orders, Transport.
Smith, Honourable G. I. (*Colchester*)—Banking, Finance, Legal and Constitutional, Printing, Transport.
Sparrow, Honourable H. O.—Agriculture, Finance, Foreign Affairs, Transport.
Stanbury, Honourable R. J.—Public Service, Rules and Orders, Science Policy.
Sullivan, Honourable J. A.—Banking, Clerestory, Health, Library.
Thompson, Honourable A. E.—Clerestory, Science Policy.
van Roggen, Honourable G. C.—Foreign Affairs, Science Policy.
Walker, Honourable D. J.—Banking, Legal and Constitutional, Library, Printing.
Williams, Honourable G.—Agriculture, Printing.
Yuzyk, Honourable P.—Agriculture, Finance, Foreign Affairs, Regulations, Science Policy.

SENATORS DECEASED

The Honourable Senators

William Albert Boucher
(June 23, 1976)

Romuald Bourque
(August 14, 1974)

Thomas Joseph Kickham
(December 1, 1974)

Arthur Laing, P.C.
(February 13, 1975)

M. Grattan O'Leary
(April 7, 1976)

James Harper Prowse
(September 28, 1976)

SENATORS WHO RESIGNED OR RETIRED

The Honourable Senators

John Black Aird
(November 28, 1974)

Muriel McQueen Fergusson, P.C.
(May 23, 1975)

Louis P. Gélinas
(December 10, 1975)

Léon Mercier Gouin
(March 18, 1976)

Paul Joseph James Martin, P.C.
(October 30, 1974)

Frank C. Welch
(July 14, 1975)

THE SENATE

Officers and Chiefs of Principal Branches

Robert Fortier, Q.C., B.A., LL.B.	Clerk of the Senate and Clerk of the Parliaments
R. L. du Plessis, Q.C., B.A., LL.L.	Law Clerk and Parliamentary Counsel
Alcide Paquette, B.A.	First Clerk Assistant
A. Guy Vandelac, M.C., C.D.	Gentleman Usher of the Black Rod
J. Walter Dean	Director of Administration and Personnel
Thomas S. Hubbard	Editor of Debates and Chief of Reporting Branch
Flavien J. Belzile, B.A.	Director of Committees
Mrs. Jean F. Sutherland	Chief of Minutes and Journals (English)
Miss Madeleine Ouimet	Chief of Minutes and Journals (French)
.....	Assistant Gentleman Usher of the Black Rod
Harold King	Postmaster
Mrs. Josephine Barnwell	Supervisor of Secretarial Service (English)
Mrs. Jocelyne Latrémouille	Supervisor of Secretarial Service (Bilingual)
.....	Chief of Stores
J. E. Lévesque	Chief of Joint Distribution Office
Walter Maheux	Chief of Protective Service
W. Pentecost	Manager of Parliamentary Restaurant

BUREAU FOR TRANSLATIONS

Roch Blais	Director, Special Operations
André Audette	Chief, Parliamentary Translations
Mireille Couillard	Chief of Debates

LIBRARY OF PARLIAMENT

Eric J. Spicer, C.D., B.A., B.L.S., M.A.L.S.	Parliamentary Librarian
Gilles J. C. Frappier, B.A., B.Ph., B.L.S.	Associate Parliamentary Librarian

